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Cont.P.No.1123 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2023

**CORAM :
THE HONOURABLE MR.JUSTICE R.SURESH KUMAR**

**Cont.P.No.1123 of 2023
and Sub.Appl.Nos.343, 344, 345 and 767 of 2023**

Mrs.Sundari

...Petitioner

-Vs-

1. Mr.P.Ravichandran
The Tahsildar,
Ambattur Taluk Office,
Ambattur, Chennai – 600 053.

2. Mr.M.Sathish,
The Executive Engineer,
Corporation of Chennai,
Zone 7, Zonal office, Ambattur,
Chennai – 600 053.

... Respondents

Prayer : Contempt Petition under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for their willful and deliberate violation of the order dated 22.12.2022 in W.P.No.34492 of 2022.

For Petitioner : Mr.Venkateshwaran

For Respondent : Mr.Vadivelu Dheenadayalan
Additional Government Pleader [R1]

Ms.Aswini Devi
Standing Counsel [R2]

ORDER



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This contempt petition has been filed for the alleged disobedience of the orders of this Court dated 22.12.2022 made in W.P.No.34492 of 2022.

2. When this contempt petition came up for hearing on 18.10.2023, after hearing both sides, this Court passed the following order:

“It has been stated by the respondent Tahsildar in his counter affidavit that, the encroachers have not been removed, the immediate complaint of the petitioner is that, despite the orders passed by this Court and despite the revision filed by the petitioner having been considered and allowed by the D.R.O concerned and by virtue of that the land in question has been entrusted to the petitioner, still the encroachers who are in adjacent land are permitted to take a route through the petitioner's land, for which, the Revenue people under the Tahsildar have paved the way by removing the debris which have already been stored there in the land of the petitioner.

2. In order to clarify this position, a report by way of an affidavit shall be filed by the respondent Tahsildar as to what steps have been taken by him in complying with the orders of this Court and if there is any violation, as has been urged by the petitioner, to what extent there has



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been a violation and whether the violation still continues also to be ascertained and reported by the Tahsildar in the said report.

3. For the aforestated compliance, post the matter on 08.11.2023.”

3. In order to make the compliance of the said direction given by this Court dated 18.10.2023, the first respondent Tahsildar has filed a status report dated 22.11.2023, where he has stated that, insofar as the land in question belongs to the petitioner is concerned, after measuring the land and identified the land, where there has been no encroachers, after ensuring that, the Revenue Authorities left the place. Thereafter, the Revenue people having nothing to do with the land in question belongs to the petitioner, if at all any 3rd party encroached upon the land, it is for the petitioner to protect his land, for which she has put up fence. If she expects any trouble from the encroachers or the neighbours, she can redress her grievance by approaching the concerned authorities in the manner known to law. Therefore, there has been absolutely no contempt on the part of the respondents as of now and the orders have already been complied with, this contempt petition can be closed, the learned Additional Government Pleader by relying upon the averment made in the



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status report has contended.

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4. Learned Additional Government Pleader would also submit that, if she makes an attempt to put up fence or compound wall that is being throttled or prevented by the third parties or encroachers and if any such trouble comes, let the Revenue people would not encourage them, this is the only assurance, she is expecting and such assurance already been given by the Revenue Authorities in the status report.

5. Beyond this, still the petitioner gets any trouble from any 3rd party, it is a criminal action, against which, it is open to the petitioner to take action in the manner known to law.

Making these observations, this Court feels that, this contempt petition without persuading further can be closed. Accordingly, it is closed. Connected sub applications are closed.

22.11.2023

Index : Yes/No
Internet : Yes/No
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R.SURESH KUMAR, J.



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