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Contempt Petition No.1786 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2023

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Contempt Petition No.1786 of 2023

N.Sagadevan

... Petitioner

Vs.

1.Selvi Apporva, IAS.,
Secretary, Government of Tamil Nadu,
Housing and Urban Development Department,
Chennai – 600 009.

2.Mani Mehalai
Special Tahsildar,
Land Acquisition Outer Ring Road Project, Unit – IV,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
Egmore,
Chennai – 600 008.

... Respondents

Prayer :

Contempt petition filed under Section 11 of Contempt of Courts Act praying to punish the respondents for contempt of Court for disobeying the order passed in W.P.No.25912 of 2014 dated 13.04.2022.

For Petitioner : Mr.David Tyagaraj
For Respondents : Mr.V.Ravi
Special Government Pleader



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ORDER

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This contempt petition is filed alleging willful disobedience of the order dated 13.04.2022 made in W.P.No.25912 of 2014.

2.The petitioner's land was acquired by the respondents for the purpose of laying out ring road, however, compensation was not paid to him. Hence, this Court vide order dated 13.04.2022 made in W.P.No.25912 of 2014 issued direction to the respondents to pay the compensation amount along with interest to the petitioner within a time frame.

3.The learned Special Government Pleader produced the proceedings of the Special Tahsildar dated 14.07.2023, from which it is known that the amount of compensation along with interest comes to Rs.62,221/- out of which a sum of Rs.12,444/- was deducted for income tax and the balance amount of Rs.49,762/- has been ordered to be paid to the petitioner.

4.The petitioner is not earning the amount and the Government is paying compensation for the land acquired from the petitioner and



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payment of compensation does not attract income tax deduction.

Hence, deducting a sum of Rs.12,444/- towards income tax is not sustainable one. Hence, this Court directs the respondents to pay the petitioner, the amount of Rs.12,444/- deducted towards income tax, within a period of one week from the date of receipt of a copy of this order.

5.The learned Special Government Pleader submitted that the amount of Rs.12,444/- deducted towards income tax, will be paid to the petitioner, within a period of one week from the date of receipt of a copy of this order, as ordered by this Court. The said submission is recorded.

6.In view of the above, there is no willful disobedience and this this Contempt Petition is closed.

18.08.2023

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Speaking Order/ Non Speaking Order
Index: Yes/No
Internet: Yes/No



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M.DHANDAPANI,J.

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