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Cont.P.No.1869 of 2022 and
Review Application (Writ) No.250 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2023

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THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Cont.P.No.1869 of 2022

and

Review Application (Writ) No.250 of 2022

against W.P.No.10596 of 2016

Cont.P.No.1869 of 2022:-

Malliga

... Petitioner

Vs.

D.G.Vinay, I.A.S.,
Commissioner of Survey and Settlement,
Survey House,
Chepauk,
Chennai – 600 005.

... Respondent

Prayer:- Contempt petition has been filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the respondent for willful disobedience of the order passed by this Court made in W.P.No.10596 of 2016 dated 24.08.2021.

For Petitioner : Ms.T.Dharani

For Respondent : Mr.V.Arun

Additional Advocate General
Assisted by Mr.T.Arun Kumar,
Additional Government Pleader.



Cont.P.No.1869 of 2022 and
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1. The Commissioner of Survey and Settlement,
Survey House,
Chepauk,
Chennai – 600 005.

2. The Tahsildar,
Uthukottai Taluk,
Tiruvallur District.

... Petitioners

Vs.

P. Malliga

... Respondent

Prayer : The Petition is filed under Order XLVII Rule-1 of Code of Civil Procedure, to review the order dated 24.08.2021 made in W.P.No. 10596 of 2016 on the file of this Court.

For Petitioners : Mr.V.Arun
Additional Advocate General
Assisted by Mr.T.Arun Kumar,
Additional Government Pleader.

For Respondent : Ms.T.Dharani

COMMON ORDER

The Contempt Petition has been filed to punish the respondent for non compliance of the order dated 24.08.2021 passed by this Court in W.P.No.10596 of 2016, thereby directing the respondent to consider the petitioner's application on merits and in accordance with law and pass orders



Cont.P.No.1869 of 2022 and
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within a period of twelve weeks. The respondent also filed petition to review the order passed by this Court in W.P.No.10596 of 2016, dated 24.08.2021.

2. The learned Additional Advocate General appearing for the respondent submitted that the Hon'ble Division Bench of this Court by the judgment dated 09.02.2016 in ***W.A.No.96 of 2015*** in the case of ***Sundaram and ors Vs. The Principal Secretary and Commissioner of Land Administration and ors*** held that the Government passed order in G.O.Ms.No.1300, Revenue Department dated 30.04.1971 and directed the land holders or the ryots, who could not obtain patta within the prescribed time under the provisions of the Tamil Nadu Estate (Abolition and Conversion into Ryotwari Act, 1948, to make an application for grant of patta in respect of such land, provided they were in continuous possession and enjoyment of any land in the estate taken over under the said Act. The said permission came to an end and subsequently by G.O.Ms.No.714, which stipulated the last date as 20.08.1987. He further submitted that the said judgment was not brought to the notice of this Court. Hence, he prayed to allow the Revision Application.



Cont.P.No.1869 of 2022 and
Review Application (Writ) No.250 of 2022

3. Considering the above facts and circumstance, the respondent is directed to consider the petitioner's application and pass order in the light of the above judgment of the Hon'ble Division Bench of this Court made in W.A.No.96 of 2015 dated 09.02.2016, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this Order.

4. With the above direction, the Review Application is ordered. In view of the order passed in the Review Application, the Contempt Petition is closed.

12.01.2023

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

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- To
1. The Commissioner of Survey and Settlement,
Survey House,
Chepauk,
Chennai – 600 005.
 2. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

rts

Cont.P.No.1869 of 2022 and
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12.01.2023