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Cont.petr.No.1882 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **27.07.2023**

CORAM:

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HON'BLE MR.JUSTICE SUNDER MOHAN

Contempt Petition No.1882 of 2022

Subramaniam

...

Petitioner

...Vs...

1.Tmt.Shreya P.Singh I.A.S.
Collector,
Namakkal District,
Namakkal.

2. Thiru.Thirumurugan,
Tahsildar,
Namakkal, Namakkal District.

3. Thiru.Santhosh
Revenue Inspector,
Namakkal,
Namakkal District.

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Respondents

Prayer: Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent for the Wilful disobedience of the orders of this Court passed in W.P.No.19847 of 2022 dated 29.07.2022 under the provisions of Contempt of Courts Act.



Cont.petn.No.1882 of 2022

For Petitioner : Mr.M.P.Rajavelayutham
For Respondents : Mr.J.Ravindran
Additional Advocate General
Assisted by
Mr.A.Selvendran
Special Government Pleader

ORDER

This contempt petition is filed alleging non compliance of the order passed by this Court on 29.07.2022 in W.P.No.19847 of 2022.

2. The grievance of the Petitioner is that even without hearing him, orders have been passed and encroachment has been removed, which amounts to wilful disobedience of the orders of this Court.

3. The learned counsel for the Petitioner had drawn the attention of this Court to paragraph 4 of the order dated 29.07.2022 passed in W.P.No.19847 of 2022, wherein this Court has held as under:

"4. Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for by the learned counsel for the petitioner, without expressing any opinion with regard to the merits of the case, we



direct the 1st respondent to consier the stay petition filed by the petitioner along with the appeal filed under Section 10 of the Tamil Nadu Land Encroachment Act, 1905 within a period of two weeks from the date of receipt of a copy of this order.

5. Till such time, the respondents are directed to maintain status-quo. We also direct the petitioner to co-operate with the 1st respondent in disposing of the appeal as expeditiously as possible.

6. With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed."

5. Today, when the matter was taken up for hearing, it was represented by Mr.J.Ravindran, learned Additional Advocate General (Liasoning) that pursuant to the order passed by this Court in the aforesaid Writ Petition, the 1st Respondent has passed an order dated 22.08.2022 in dismissing the Appeal filed by the Petitioner and directing the 2nd Respondent to remove the encroachment and to submit a report before 24.08.2022 and when the said order was attempted to be served on the petitioner's son on 23.08.2022, the same was refused to be received and therefore, it was pasted at the residence of the Petitioner.

6. In view of the submission made by the learned Additional Advocate General (Liaisoning) appearing for the Respondents, we find



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Cont.petr.No.1882 of 2022

**S.VAIDYANATHAN, J.
AND
SUNDER MOHAN, J.**

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that no case for contempt has been made out. Hence this Contempt
Petition stands closed.

**[S.V.N,J.] [S.M,J.]
27.07.2023**

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Contempt Petition No.1882 of 2022



WEB COPY



Cont.petr.No.1882 of 2022

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WEB COPY



Cont.petr.No.1882 of 2022

27.07.2023