



Cont.P. No.2958 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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Muniyan

.. Petitioner

versus

1.K.M.Sarayu, IAS,
District Collector,
Krishnagiri District

2.S.Babu,
Revenue Divisional Officer,
Krishnagiri District

3.Sarojkumar Thakur, IPS
Superintendent of Police,
Krishnagiri District

4.M.Vijayakumar,
Tahsildar,
Krishnagiri Taluk

.. Respondents

Prayer: Contempt Petition filed to punish respondents 1 to 4 for their wilful and flagrant violation of the order dated 31.01.2023 in WP No.2116 of 2023.

For the Petitioner : Mr.C.Prabakaran

For the Respondents : Mr.P.Muthukumar,

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State Government Pleader

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ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

We have heard Mr.C.Prabakaran, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader, for the respondents.

2. This Court, under its order dated 31.01.2023, in WP No.2116 of 2023, had directed the State authority to conduct a survey and if any encroachment is found, to remove the same.

3. The Tahsildar, Krishnagiri has filed a status report. As per the status report, survey was conducted on 13.09.2023 and 27.09.2023. It is reported that the lands in question are purely patta lands and not Government poromboke lands and the said lands were not recorded as road or path in the Government records.

4. It is stated in the status report that a civil suit was already filed by the petitioner before the District Munsic Court, Krishnagiri, in OS No.104 of 2020 for the same relief. The private respondents in the



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writ petition - Kasi and four others, are defendants in the said suit.

The civil suit is pending for hearing.

5. The civil suit is also pending with regard to the pathway. If it is a common pathway between the petitioner and the private respondents, then, naturally, the civil Court will decide the rights of the parties.

6. In case the petitioner is aggrieved by the survey or otherwise, then it is for the petitioner to challenge the same in accordance with law, or abide by the decision of the civil suit.

7. The contempt petition stands disposed of. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : yes/no
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE

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