



CONT P(MD)No.353 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.03.2023

CORAM :

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

CONT.P(MD)No.353 of 2023

Nattathi Nadar Uavinmurai Sangam,
Reg.No.45/2013,
Through its Secretary,
Mr.N.Jeyabal

... Petitioner

VS.

Mr.Neelamegham,
Executive Officer,
Elumalai Town Panchayat Office,
Ward 7, Perumalpatti Road,
Elumalai-625535.

... Respondent

PRAYER : Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to take action against the respondent herein for his wilful disobedience of the order dated 29.09.2022 made in W.P(MD)No.22938 of 2022 on the file of this Court.

For Petitioner : Mr.M.Vijayarathinam

For Respondent : Mr.S.P.Maharajan

Special Government Pleader



CONT P(MD)No.353 of 2023

ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

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Fortunately for the respondent, the encroacher himself had magnanimously removed the encroachment after he was put on notice. An order directing removal of encroachment was passed by this Court on 29.09.2022 directing the encroachments to be removed within eight weeks time. The said time expired by 24.11.2022. No application was filed seeking extension of time. No notice was sent to the encroacher within the time granted by this Court. It is seen from the records that have been produced that notice seeking eviction was sent only on 26.12.2022. This was followed up by two other notices dated 04.01.2023 and 08.03.2023. It is claimed that the encroacher had vacated the encroached portion thereafter.

2. We place on record sincere and heartfelt appreciation for the efforts of Mr.Neelamegham, Executive Officer, Elumalai Town Panchayat, for having achieved the object of removal of encroachments. We find that it has become a habit for the officials to wait till notice is ordered in contempt proceedings to implement orders of this court. This is not a healthy trend. We are not imposing costs this time. We make it clear that if we come across such instances in future



CONT P(MD)No.353 of 2023

we will be forced to impose costs and make the officer responsible to pay the same. In view of the compliance this contempt petition is closed.

(R.SUBRAMANIAN, J.) & (L.VICTORIA GOWRI, J.)
16.03.2023

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CONT P(MD)No.353 of 2023

R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

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CONT P(MD)No.353 of 2023

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