

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.03.2023

CORAM :

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

Cont.P(MD)No.395 of 2023

R.Elavarasan

... Petitioner

vs.

1. Dr.S.Aneesh Sekhar IAS,
The District Collector,
Madurai District,
Madurai.

2. Mrs.Dhanalakshmi,
The Special Tahsildar (Adi Dravidar Welfare),
Adi Dravidar Welfare Unit I,
Madurai District.

3. Mr.Veerapathiran,
The Tahsildar,
Vadipatti Taluk,
Madurai Taluk.

... Respondents

PRAYER : Petition filed under Section 11 of the Contempt of Courts Act, 1971, to initiate contempt proceedings against the contemnor/respondent and punish him for the wilful disobedience of the order of the High Court in W.P(MD)No.1698 of 2022 dated 28.10.2022.

For Petitioners : Mr.S.Rajasekar for
M/s.Lajapathi Roy and Associates
For Respondents : Mr.A.Baskaran
Additional Government Pleader

ORDER

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

The Advocate Commissioner appointed has filed a report stating that the encroachments in Survey Nos.323/1A, 323/1B2, 323/1B1B1B1, 323/2A1A1, 323/2B have been removed.

2. The order, according to the Tahsildar, was complied in its letter and spirit. Since this fact was disputed by the learned counsel for the petitioner, we had appointed Mr.P.Kiran Prakash, an Advocate practicing in this Bench as a Commissioner to visit the area in question and file a report. The Advocate Commissioner has filed a report stating that the encroachments in those survey numbers have, in fact, been removed, but the Commissioner has also pointed out that such removal alone will not be helpful to the petitioner as his land is landlocked with patta lands and removal of the

encroachment in those survey numbers would not serve the purpose or provide passage to the petitioner to his house. Hence, we see no reason to proceed with the contempt petition.

3. The Contempt Petition is therefore closed.

(R.SUBRAMANIAN, J.) & (L.VICTORIA GOWRI, J.)
27.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
bala

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

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ORDER MADE IN
Cont.P(MD)No.395 of 2023
DATED : 27.03.2023