



WEB COPY

Cont.P(MD)No.304 of 2



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.08.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

CONT.P(MD)No.304 of 2020

N.Katharmeera

... Petitioner

-VS-

Tmt.Shanthi,
The Tahsildar,
Marungapuri Taluk,
Marungapuri,
Trichy District.

... Respondent

PRAYER : Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the contemnor for wilful disobedience of the order passed by this Court in W.P(MD)No.21937 of 2019 dated 17.10.2019.

For Petitioner : Mr.AN.Ramanathan
For Respondent : Mr.M.Lingadurai
Special Government Pleader

ORDER

[Order of the Court was made by S.S.SUNDAR, J.]

This contempt petition is filed complaining wilful disobedience of the order passed by this Court in W.P(MD)No.21937 of 2019 dated 17.10.2019.



2. In the aforesaid writ petition filed by the encroacher who was asked to remove the encroachment, this Court has issued the following directions:-

"6. If such is the argument before this Court, there is no record to establish the fact that patta was granted in favour of the petitioner. However, considering the fact that the petitioner is not highly educated, we deem it appropriate to grant one more opportunity to the petitioner and accordingly, the petitioner is directed to appear before the Tahsildar, Marungapuri, on 18.11.2019 and submit all his documents and representation. On receipt of the same, the Tahsildar, if deem it appropriate, can measure the property after issuing notice to the petitioner and then pass orders on merits and in accordance with law.

7. The petitioner in his representation, dated 07.07.2019 has stated that if there is any encroachment, he is ready to vacate. Therefore, if the Tahsildar find any encroachment in the Government land, immediately the same shall be removed. With this direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed."

3. Stating that the encroachment is not removed as directed by this Court in the above writ petition, this contempt petition is filed by the 5th respondent in the writ petition.



Cont.P(MD)No.304 of 2

4. The learned Special Government Pleader appearing for the respondent, on instructions, submitted that the encroachment made by the petitioner in W.P(MD)No.21937 of 2019 is removed after the orders passed under Section 6 of the Tamil Nadu Land Encroachment Act, 1905. The photographs produced before this Court show that the temporary tin shed which was in existence, has been removed.

5. Recording the aforesaid submission of the learned counsel reporting compliance, this Contempt Petition is closed.

[S.S.S.R, J.]

[D.B.C., J.]

14.08.2023

Index : Yes / No
Neutral Citation : Yes / No
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To

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