



Cont.P.(MD) No.601 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2023

CORAM:

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

**Cont.P.(MD) No.601 of 2021
in
W.P.(MD) No.5214 of 2019**

K.Shankaranarayanan

: Petitioner/Petitioner

-VS-

- 1.Mr.Kannan
The State of Tamil Nadu,
Rep. by the District Collector,
Virudhunagar District Collectorate,
Virudhunagar.
- 2.Mr.Mangalaramasubramanian,
The District Revenue Officer,
Virudhunagar District Collectorate,
Virudhunagar.
- 3.Mr.Dineshkumar,
Revenue Divisional Officer,
Revenue Divisional Office,
Sivakasi Divisional, Sivakasi,
Virudhunagar District.
- 4.Mr.Saravanan,
The Tahsildar,
Taluk Office,
Srivilliputtur Taluk,



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Virudhunagar District.
Contemnors/Respondents

:

[R1, R2 & R3 are dismissed vide order dated
25.08.2023 in Cont.P.(MD)No.601 of 2021]

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Courts Act praying to punish the contemnors for their wilfull default in complying with the direction of this Court passed in W.P.(MD)No.5214 of 2019 vide its order dated 20.03.2019.

For Petitioner : Mr.N.Balasubramanian

For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

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

The petitioner has filed this contempt petition alleging willful disobedience of the order of this Court, dated 20.03.2019 passed in W.P. (MD) No.5214 of 2019. The writ petition was filed for issuance of Writ of Mandamus directing the respondents to remove the encroachment made by the common public without naming any individual. No person alleged as encroacher is not made as a party. In the said circumstances, based on the submission of the petitioner, this Court disposed of the writ



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petition in the following lines:

“5.In the light of the above submissions and also considering the prayer sought for in the writ petition, this Court, without going into the merits of the matter, directs the fourth respondent to take appropriate action on merits and in accordance with law, after providing an opportunity to all the necessary parties, on the representation of the petitioner and pass appropriate orders within a period of three months from the date of receipt of a copy of this order.”

1.1 This Court has only directed the fourth respondent to take appropriate action on merits and in accordance with law without expressing any opinion on the merits.

2. Today, the Tahsildar has addressed a letter to the learned Special Government Pleader to the effect that the direction of this Court has been complied with by removing 73 encroachments by individuals.

3. The learned counsel appearing for the petitioner states that the encroachment has not been completely removed and there are still some encroachments which are not removed on ground.



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4. Having regard to the nature of directions issued by this Court, this Court is unable to find any willful disobedience of the order.

5. Therefore, recording the statement of the learned Special Government Pleader on the basis of the communication received by him, the Contempt Petition stands closed.

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

[D.B.C., J.]

27.09.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
sjj

To:

Mr.Saravanan,
The Tahsildar,
Taluk Office,
Srivilliputtur Taluk,
Virudhunagar District.



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S.S.SUNDAR, J.
and
D.BHARATHA CHAKRAVARTHY, J.

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