



CONT.P.(MD)No.473 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

CONT.P.(MD)No.473 of 2023

in

W.P(MD)No.23633 of 2022

M. Haja Mohaideen

... Petitioner

Vs

A. Shanmugam,
The Tahsildar, Kadayanallur Taluk,
Tenkasi District.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the contemnor/ respondent for his willful disobedience on the order of this Court made in W.P.(MD). No. 23633 of 2022, dated 13.10.2022.

For Petitioner : Mr. A.Haja Mohideen

For Respondent : Mr.J.Ashok

Additional Government Pleader



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ORDER

The contempt petition has been filed, complaining that the second respondent/Tahsildar, Kadayanallur Taluk, Tenkasi District had not complied with the direction of this Court in W.P.(MD). No. 23633/2022, dated 13.10.2022. By the said order, the following direction has been given by the learned Single Judge.

“5.In view of the above submission, this Court, without going into the merits of the matter, directs the second respondent to consider the representation of the Petitioner, dated 6.9.2022 taking note of the relevant title documents produced by him and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to all the parties concerned, within a period of twelve weeks from the date of receipt of a copy of this order.”

2.After that particular order was issued, the second respondent had measured the place, which is also admitted by the petitioner. Notice was also issued. The learned counsel for the petitioner was also present at the time of survey.



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3.The grievance of the petitioner is that survey was not done properly and that some other land was measured and that the measurements also wrong and also the revenue records were not verified at the time of survey.

4.The learned Additional Government Pleader stated that notice issued to the petitioner at the time of conducting survey which was acknowledged by his counsel. He also submitted the rough sketch.

5.From the above, if the survey was not conducted properly, the petitioner has to approach the appropriate authority. It would not amount to non-compliance of the order.

6.Accordingly, this contempt petition is closed. However, the petitioner is at liberty to question the survey already done by the respondent herein.

24.03.2023

NCS :Yes/No
Index :Yes/No
Internet:Yes/No
PNM



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C.V.KARTHIKEYAN, J.

PNM

ORDER MADE IN
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