



*Sub Appln.(MD)No.132 of 2023
in Cont.P.(MD)SR.No.11218 of 2023*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 01.09.2023

CORAM

**THE HON'BLE MR. JUSTICE M.S.RAMESH
AND
THE HON'BLE MR. JUSTICE B.PUGALENDHI**

**Sub Appln.(MD)No.132 of 2023
in Cont.P.(MD)SR.No.11218 of 2023**

Muthu Uthamundar

.. Petitioner

Vs.

1.Tmt. Kavitharamu, I.A.S.,
The District Collector,
Pudukkottai District,
Pudukkottai.

2.Thiru. Sakthivel,
The Tahsildar,
Kulathur Taluk,
Pudukkottai District.

3.Thiru. Anandhan

.. Respondents

Prayer in Sub.Appln (MD)No.132 of 2023: Application filed under Section 151 of the Civil Procedure Code, praying to grant leave to file the Contempt Petition and take the Contempt Petition on file.



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Prayer in Cont.P.(MD)SR.No.11218 of 2023: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the contemnors / respondents in the writ petition for their willful and deliberate disobedience of the order of this Court made in W.P.(MD)No.18536 of 2020, dated 17.12.2020.

For Petitioner : Mr.R.Paranjothi

For Respondents : Mr.D.Sasikumar,
Addl. Govt. Pleader for R1 & R2

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

Admittedly, the petitioner is not a party to the writ petition, against which the contempt petition is sought to be filed. The petitioner claims that he is a person, who is similarly aggrieved as that of the writ petitioner and therefore, has sought for leave.

2. We are afraid that such a leave cannot be granted to a third party. In case, the petitioner has any grievance against the alleged encroachment in



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the subject lands, the appropriate remedy would be to approach the concerned authority seeking for removal of the encroachment. As such, a contempt petition in this regard would not be maintainable.

3. Accordingly, the petitioner is granted liberty to make a representation to the concerned authorities to redress his grievances.

4. With the above liberty, the present Sub Application stands closed. Consequently, Cont.P.(MD)SR.No.11218 of 2023 also stands closed at the SR stage itself.

**(M.S.R., J.) (B.P., J.)
01.09.2023**

NCC : Yes / No
Index : Yes / No
vsm

To

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
Kulathur Taluk,
Pudukkottai District.



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