



Cont.P.(MD)No.966 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2023

CORAM:

**THE HONOURABLE MR. JUSTICE M.S.RAMESH
AND
THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR**

Cont.P.(MD)No.966 of 2023

in

W.P.(MD)No.23118 of 2017

S.Thangaraj

...Petitioner/Petitioner

Vs.

Mr.Kannan,
Tahsildar,
Thiruppuvanam Taluk,
Sivagangai District.

...Contemnor /
3rd Respondent

PRAYER: Contempt Petition filed under Section 11 of Contempt of Courts Act to punish the contemnor herein for wilfully disobeying the order of this Court dated 14.09.2021 in W.P.(MD)No.23118 of 2017.



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For Petitioner : Mr.C.M.Mari Chelliah
For Respondent : Mr.D.Sasikumar
Additional Government Pleader

ORDER

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

In the order passed by the Writ Court in W.P.(MD)No.23118 of 2017, dated 14.09.2021, there was a direction to the Tahsildar to consider the petitioner's representation, dated 30.10.2017, after giving due opportunity to the encroachers for the purpose of its removal. Alleging non-compliance of the said order, the present Contempt Petition has been filed.

2. Today, when the matter was called, the learned Additional Government Pleader, on instructions, submitted that the subject lands in S.Nos.174/25 and 224/2 are private patta lands. Hence, no action requires to be taken insofar as these two lands.

3. The lands in S.Nos.174/10 and 174/24 are said to be free of any encroachment. The encroachments in S.Nos.223/1, 224/1 and 224/3 are



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said to have been removed by the respondents. The remaining land in S.No.223/1 is a subject matter of a civil suit in O.S.No.21 of 2022, on the file of the District Munsif Court, Thiruppuvanam filed by the alleged encroacher viz., Santhakumari and the suit is pending. Insofar as this land is concerned, the respondent shall take necessary action subject to the final outcome of the civil suit. As such, no further orders are required in the present Contempt Petition, since the disobedience alleged in this contempt petition cannot be termed to be wilful in nature. Accordingly, the Contempt Petition stands closed.

[M.S.R., J.]

[K.M.S., J.]

18.08.2023

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

SSL

To

Mr.Kannan,
Tahsildar,
Thiruppuvanam Taluk,
Sivagangai District.



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K.MURALI SHANKAR,J.,

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