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CONT.P.(MD)NO.1138 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CONT.P.(MD)No.1138 of 2023 in
W.P.(MD)No.13598 of 2022

Gurusamy

... Petitioner

Vs.

Tmt.G.Lakshmi Priya, I.A.S.,
Principal Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Government of Tamil Nadu,
Secretariat, Chennai.

... Respondent

Prayer: Contempt petition filed under Section 11 of the Contempt of Courts Act 1971, to punish the respondent / contemnor for the wilful disobedience of the order passed by this Court vide its order dated 01.09.2022 passed in W.P. (MD)No.13598 of 2022.

For Petitioner : Mr.V.Karthikeyan

For Respondent : Mr.D.Gandhiraj,
Special Government Pleader.

* * *

**ORDER**

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Heard the learned counsel on either side.

2. The petitioner filed W.P.(MD)No.13598 of 2022 seeking release of the petition-mentioned land that was acquired from him. The writ petition was allowed by this Court on 01.09.2022. Direction was given to the Government to authorise the Special Tahsildar to reconvey the acquired land to the writ petitioner. Contending that the direction given by this Court has not been complied with, this contempt petition came to be filed.

3. When the matter was taken up for hearing, the learned Special Government Pleader appearing for the respondent produced a copy of patta No.278 Kambaneri, Pudhukudi Revenue Village indicating that the petitioner's name has been restored in the revenue record.

4. The learned counsel appearing for the petitioner however complains that the encumbrance register maintained by the Registration Department continues to reflect the



Government of Tamil Nadu as the owner of the petition-mentioned land. He insists on execution of a specific deed of reconveyance.

5. The grievance expressed by the learned counsel appearing for the petitioner is quite well founded. However, I am of the view that one need not stand on formalities. If the cloud on the petitioner's title is cleared, that should more than satisfy his apprehensions. A Government land can be conveyed to an individual either by way of assignment or by way of conveyance or by way of allotment. These modes are not exhaustive. When the revenue record reflects the name of the petitioner and that too pursuant to the order passed by this Court in the aforesaid writ petition, the petitioner need not have any apprehension. It is further seen that the Revenue Divisional Officer, Thenkasi had issued proceedings in Ni.Mu-A3-2465-2023 dated 28.06.2023 cancelling the earlier proceedings of the Special Tahsildar, Thenkasi.

6. The learned Special Government Pleader would further state that the jurisdictional Sub Registrar has been addressed in this regard.



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7. This contempt petition is therefore disposed of with the following directions:-

a) The Sub Registrar, Registration Department, Kadayanallur, Tenkasi District shall register the order as well as the order dated 01.09.2022 made in W.P.(MD)No.13598 of 2022 upon the application being presented by the writ petitioner.

b) A copy of the proceedings dated 28.06.2023 issued by the Revenue Divisional Officer, Thenkasi in Ni.Mu-A3-2465-2023 as well as the patta shall form part of this order.

05.09.2023

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

Note : Issue order copy on 08.09.2023.

To:

The Principal Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Government of Tamil Nadu,
Secretariat, Chennai.



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G.R.SWAMINATHAN,J.

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