



Cont.P.(MD) No.1245 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2023

CORAM:

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

**Cont.P.(MD) No.1245 of 2023
in
W.P.(MD) No.12426 of 2022**

K.Karthick

... Petitioner

-VS-

1.E.R.Viswanathan
Revenue Divisional Officer
Sivakasi, Virudhunagar District

2.K.Loganathan
Tahsildar
Sivakasi Taluk
Virudhunagar District

... Respondents

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Courts Act praying to punish the contemnors / respondents 3 & 4 for the willful disobedience and failure to comply with the order, dated 14.11.2022 passed by this Court in W.P.(MD) No.12426 of 2022.

For Petitioner : Mr.P.Saravanakumar

For Respondents : Mr.P.Thilakkumar
Government Pleader



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ORDER

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

This contempt petition is filed alleging willful disobedience of the order of this Court, dated 14.11.2022 passed in W.P.(MD) No.12426 of 2022.

2. This Court, by order dated 14.11.2022, disposed of the said writ petition with the following directions:

“4. In view of the above, without going into the merits of the claim made by the petitioner, the respondents 3 and 4 are directed to consider the petitioner's representations dated 10.03.2022 and 18.04.2022 and pass appropriate orders, if not already disposed of, on merits and in accordance with law. If there is any encroachment as pointed out by the petitioner, the same shall be removed, after giving due notice and sufficient opportunity to all the parties concerned and by following due process of law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.”

3. Stating that the above order of this Court has not been complied with, this contempt petition is filed.



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4. Learned Government Pleader appearing for the respondents, on instructions, submitted that the encroachment was identified and confirmed, by proceedings of the Revenue Divisional Officer, Sivakasi, dated 06.07.2023.

5. It is also admitted that the Tahsildar, Sivakasi Taluk, has now issued notice to the encroachers, under Section 7 of the Tamil Nadu Land Encroachment Act, 1905.

6. Since proceedings under the provisions of the Tamil Nadu Land Encroachment Act, 1905 have been commenced, this Court finds that the steps taken by the respondents are in compliance with the directions issued by this Court in W.P.(MD) No.12426 of 2022, *vide* order dated 14.11.2022.

7. In such circumstances, recording compliance, this contempt petition is closed.

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

[D.B.C., J.]

24.07.2023

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

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To:

- 1.Mr.E.R.Viswanathan,
Revenue Divisional Officer,
Sivakasi, Virudhunagar District.
- 2.Mr.K.Loganathan,
Tahsildar,
Sivakasi Taluk,
Virudhunagar District.



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

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