



W.P.(MD) No.15560 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2023

CORAM:

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

W.P.(MD) No.15560 of 2023

S.Babu

... Petitioner

-vs-

1.The District Collector
Pudukottai District

2.The Tahilsdhar
Pudukottai District

3.The Executive Officer
Keeramangalam Town Panchayat
Pudukottai District

4.The Inspector of Police
Keeramangalam Police Station
Pudukottai District

5.Chandrasekaran

6.Rajalakshmi

7.Pavalakodi

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 2 & 3 to constitute and inspection team and inspect the property in S.F.No.103 of Keeramangalam Village and to ascertain the ground realities as to whether there is any encroachment as per the direction issued by this Court in W.P.(MD) No.13913 of 2017, dated 12.07.2021.

For Petitioner : Mr.G.Thiruvaniselvan

For Respondents : Mr.M.Lingagurai
Special Government Pleader for R1, R2 & R4
Mr.V.Nirmal Kumar
Government Advocate for R3

ORDER

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

The prayer in this writ petition is to direct the respondents 2 & 3 to constitute an inspection team to inspect the property in S.F.No.103 of Keeramangalam Village and to ascertain as to whether there is any encroachment, as per the directions issued by this Court in W.P.(MD) No. 19913 of 2017, dated 12.07.2021.



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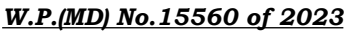
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2. A perusal of the papers shows that the petitioner has already obtained an order from this Court on 12.07.2021. However, according to him, the order of this Court, more particularly paragraph No.5, has not been complied with by the official respondents.

3. Since the petitioner's grievance has already been redressed, the present writ petition is not maintainable. However, liberty is granted to the petitioner to file a contempt petition, as the powers of this Court under Article 215 of the Constitution of India cannot be curtailed by Section 20 of the Contempt of Courts Act, 1971, against the respondents concerned for the disobedience of the directions issued by this Court.

4. We also make it clear that it is open to the Authority concerned to initiate disciplinary proceedings against the officials, who are responsible for non-compliance of the directions issued by this Court, and to enter the same in their service registers also.

5. At this juncture, learned Special Government Pleader appearing for the respondents 1, 2 & 4 submitted that that pursuant to the directions



6. We make it clear that if the petitioner is aggrieved by the order .2021, passed by the Tahsildar, Alangudi Taluk, he can challenge the manner known to law.

[S.V.N., J.] [D.B.C., J.]
03.07.2023

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

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To:

- 1.The District Collector,
Pudukottai District.
- 2.The Tahilsdhar,
Pudukottai District.



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- 3.The Executive Officer,
Keeramangalam Town Panchayat,
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