



Suo Motu CONT. P(MD)No.1228 of 2023

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**

Suo Motu CONT. P(MD)No.1228 of 2023

in

W.P(MD)No.13200 of 2023

The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.

: Petitioner

Vs.

1.Mr.D.Ravichandran,
District Collector,
Tenkasi District.

2.Mr.S.Subbulakshmi,
Revenue Divisional Officer,
Sankarankovil,
Tenkasi District.

3.Mr.C.Anand,
Tahsildar,
Sivagiri Taluk,
Tenkasi District.

: Contemnors/Respondents



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Prayer:

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Suo Motu Contempt Petition filed under Section 11 of the Contempt of Court Act, to punish contemnors for their disobedience of the order of this Court, dated 30.11.2022 in W.P.(MD)No.26956 of 2022.

For Petitioner : Mr.K.Samidurai

For Respondents : Mr.Veera Kathiravan
Additional Advocate General

ORDER

(order of the Court was made by S.S.Sundar, J.)

Today, this Court disposed of W.P.(MD).13200 of 2023 with certain directions. This Court observed in W.P.(MD)No.13200 of 2023 that the property in S.No.627/2799 is classified as Natham and that therefore, the property had not vested with the Government. Since it is admitted that there is a temple in place for long number of years, the property should be treated as a property of temple and its appurtenance belonging to the residence of the village. However, this *suo-motu* contempt is initiated at the time of admitting W.P.(MD)No.13200 of



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2023, wherein, a specific allegation is made that the direction of this Court in the earlier writ petition in W.P.(MD)No.26956 of 2022 is not complied with. However, since the stand taken by the respondents also indicates that the property is not a poramboke, this Court is unable to see any wilful disobedience of the order as a direction issued in W.P.(MD)No.26956 of 2022 is general. Therefore, the *Suo Motu* Contempt Petition is closed recording the fact that there is no wilful disobedience of the order. In view of the order, we have passed in W.P.(MD)No.13200 of 2023, the respondents shall not proceed with the notice issued for removal of encroachment.

(S.S.S.R.,J.) & (D.B.C.,J)

24.07.2023

(2/2)

NCC : Yes / No

Index: Yes/No

Index: Yes/No

sjj



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

sjj

To

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