



SUB A(MD). No.181 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Tuesday, the Twenty Fifth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

AND

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

SUB A(MD)No.181 of 2023

in

Cont.P(MD)No.1077 of 2023

Lala Sri Renga Chatram
Through its Life Trustee,
S.Padravathi Ammal
Yanaikkal, Madurai.

... Petitioner/Proposed 2nd Respondent

Vs

1.M.Krishnan

... 1st Respondent/Petitioner

2.The Tahsildar,
Madurai West,
Madurai District.

... 2nd Respondent/Sole Respondent

Prayer in Sub A(MD)No.181 of 2023 :- Sub Application filed under Section 151 of C.P.C., to implead the petitioner/proposed party as 2nd respondent in the above Contempt Petition and thus render justice.

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Prayer in Cont.P(MD)No.1077 of 2023:- Contempt Petition filed under Section 11 of the Contempt of Courts Act, praying to punish the contemnor/2nd respondent herein for the deliberate and wilful disobedience of the order dated 26.09.2022 passed by this Hon'ble Court in WP(MD)No.22528 of 2022.

Prayer in WP(MD)No.22528 of 2022 :- Writ Petition is filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus directing the respondents 1 to 6 herein to forthwith remove the encroachment made by the 8th respondent in public passage at Kandasamy Street, Sri Mappillai Vinayagar Nagar Achampattu Panchayat, Madurai as per the representation dated 5.8.2022 within a reasonable time fixed by this Hon'ble Court.

ORDER:- This Sub Application coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.K.S.Muthu, Advocate for the Petitioner and of Mr.V.Pandian, Advocate for the 1st Respondent and of Mr.P.Thilak Kumar, Government Advocate for the 2nd Respondent, this Court made the following order:-



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

This Sub Application has been filed to implead the petitioner / proposed party as 2nd respondent in the Contempt Petition.

2. By making some allegations against the petitioner in the Contempt Petition, the petitioner has filed this impleading petition. By impleading the petitioner, the scope of the Contempt Petition cannot be enlarged.

3. In view of the same, the Sub Application is dismissed. However, liberty is given to the petitioner to seek appropriate remedy by filing an independent Writ Petition or by filing a suit.

Sd/-

Assistant Registrar(CS I)

// True Copy //

/08/2023

Sub Assistant Registrar(CS)



SUB A(MD). No.181 of 2023

TO
WEB COPY
The Tahsildar
Madurai West,
Madurai District.

ORDER DATED : 25/07/2023

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ORDER
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SUB A(MD)No.181 of 2023
in
CONT P(MD)No.1077 of 2023
Giving direction and etc.
as stated within.

MK/16.08.2023 4P 2C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023