



Cont.P.No.2326 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2024

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THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Cont.P.No.2326 of 2024

M.Sarala

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Petitioner

Vs.

- 1 M. Raja Raman I.A.S.
The State of Tamilnadu,
Secretary to Government,
Department of Revenue,
Fort St. George, Chennai 600 009.
- 2 S.Valarmathi
The District Collector, Ranipet,
Ranipet District.
- 3 V. Manonmani
The Revenue Divisional Officer, Ranipet
Ranipet District.
- 4 P.A. Arul Selvam,
Tahsildar, Arcot, Ranipet District.
- 5 Tmt. Dhanalakshmi
The Inspector of Police, Timiri Police Station,
Ranipet District.

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Respondents



Cont.P.No.2326 of 2024

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PRAYER: Contempt petition filed under Section 11 of Contempt of Court Act, 1971, to punish the respondents for their wilful disobedience of the order passed in W.P.No. 24465 of 2023 dated 23.08.2023.

For Petitioner	: Mr.B.Sundarapandiyan
For Respondent	: Mr.S.J.Mohamed Sathik Government Advocate

ORDER

This petition is filed to punish the respondents for their wilful disobedience of the order dated 23.08.2023, passed in W.P.No. 24465 of 2023.

2.Pursuant to the directions issued by this Court, the Tahsildar, Arcot, Ranipet, issued notice and the copy was served to the persons. However, the petitioner would submit that no notice was served to the petitioner. In this regard, the learned Government Pleader would submit that the petitioner and some other persons in that area are identified as encroachers.

3.Encroachers are not entitled to seek any relief to survey the lands. Once the authorities have found that the subject property is the Government



Cont.P.No.2326 of 2024

property and it is under encroachment, they are bound to initiate action for eviction of encroachment by following due process under the provisions of the Encroachment Act. A direction was issued by this Court only to survey the lands. Pursuant to the directions, the Tahsildar conducted survey and found that the encroachments are made in respect of the Government lands. That being so, the respondents have not committed any contempt willfully. If at all the petitioner claims title over the property, it is for her to approach the competent Civil Court of law for the purpose of establishing her civil rights. However, the respondents are empowered to initiate all actions to remove the encroachment by following due process.

4. Accordingly, the contempt petition stands closed.

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13.09.2024

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

NCC: Yes/No



Cont.P.No.2326 of 2024

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The Inspector of Police, Timiri Police Station,
Ranipet District.
- 6 The Public Prosecutor,
High Court, Madras.



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Cont.P.No.2326 of 2024

S.M.SUBRAMANIAM,J.

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Cont.P.No.2326 of 2024

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