



WEB COPY



Cont.P.No.2810 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2024

CORAM :

THE HON'BLE MR.JUSTICE C.SARAVANAN

Cont.P.No.2810 of 2023

1. B.Jayachandran
2. J.Karthikeyan

.. Petitioners

Vs.

T.Kannan
The Block Development Officer (Administration)
Kundrathur Panchayat Union
Padappai – 601 301.

.. Respondent

Prayer: Petition filed under Section 11 of the Contempt of Courts Act,
to punish the respondent after issuing statutory notice for the wilful
disobedience of the order dated 16.08.2022 in W.P.No.20867 of 2022.

For the Petitioners : Mr.S.Baskaran

For the Respondent : Mr.N.Naveen Kumar
Government Advocate

ORDER

The contemnor is present before this Court.

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2. Although this Court had earlier allowed the writ petition on 16.08.2022, it is informed by the learned Government Advocate appearing for the respondent that the petitioner is not the owner of the property as on date and only a suit was pending before the Civil Court in O.S.No.143 of 2018 before the District Court at Kancheepuram.

3. It is further submitted that the petitioner appears to be an agreement holder with private parties in respect of the subject land, measuring 40 cents, where more than eighty families from marginalized section of the society are living.

4. It is also submitted that the property in question has been classified as a "vandi pathai" and is not a patta land. Therefore, though attempts have been made to ascertain the details of the land in respect of which the petitioner claims rights, even the petitioner is unable to lay hands on the same in absence of proper sale deed in favour of the petitioner.



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5.1. Having considered the submissions made by the learned counsel for the petitioner as well as the learned Government Advocate appearing for the respondent, this Court is inclined to close this contempt petition.

5.2. The respondent shall take steps pursuant to the orders passed by this Court on 16.08.2022 once the petitioner secures a favourable decree from the Trial Court pending in O.S.No.143 of 2018 before the District Court at Kancheepuram. In view of the above, the statutory notice also stands recalled.

06.12.2024

Index : Yes/No
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To

1. T.Kannan
The Block Development Officer (Administration)
Kundrathur Panchayat Union
Padappai – 601 301.



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C.SARAVANAN,J.

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