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Cont.P. No.2117 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2024

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cont.P.No.2117 of 2023

in

W.P. No.8502 of 2023

Jayaram S/o. Muniappa (late)

..... Petitioner

vs.

1. Subramani
Tahsildar,
Hosur Taluk,
Krishnagiri District.

2. Boopathi,
The Block Development Officer,
Block Development Office,
Krishnagiri District.

3. V. Madesh,
The President,
Onnalvadi Panchayat,
Hosur Taluk, Krishnagiri District.

4. Yogananda S/o. Hanumantha Reddy,
Vice President of O. Karapalli Village,
Onnalvadi Panchayat, Hosur Taluk,
Krishnagiri District.

.... Respondents

PRAYER: Contempt Petition has been filed under Section 11 of the
Contempt of Court Act seeking to punish the respondents for his wilful



disobedience of the order passed in W.P. No.8502 of 2023 dated 17.04.2023.

For Petitioner : Mr. R. Jayaprakash
For Respondents : Ms. E. Raaganayaki,
Additional Government Pleader.

ORDER

This Contempt Petition has been filed seeking to punish the respondent for his willful disobedience of the order passed in W.P. No.8502 of 2023 dated 17.04.2023.

2. This Court carefully went through the compliance report filed by the 1st respondent and the relevant portions are extracted hereunder:

“3) It is submitted that as per orders of this Honourable Court dated 17.04.2023, the 1st respondent has immediately deputed the Sub-Inspector of Survey, Hosur to inspect the subject matter lands and also conduct survey of the said lands. The Sub-Inspector of survey inspected and surveyed the said lands. The inspection of Sub-Inspector of survey revealed that the lands S.No.920/9, measuring 194 sq. mtr of Onnalvadi Village stands registered in the name of Muniappa. Further the land S.No.920/10 measuring 66 sq. mt has been noted as Road (Theru). The Sub Inspector of survey has reported that there is a house in S. No.920/9 and some extent of land is



vacant and also reported that Drainage canal has not been constructed in the land of the petitioner in S.No.920/9. The petitioner without measuring the land has filed this petition in this Honourable Court without valid grounds and reasons. The claim of the petitioner is imaginary one. Further the petitioner has not at all sent any representations to the authorities concerned with regard to his grievances. Hence the petition is not at all maintainable as per law.

4) It is submitted that the 1st respondent has passed orders in Na.Ka. No.7368/2023/R1 dated 19.09.2023 and the same has been informed to the petitioner stating that no drainage was constructed in the land of the petitioner in S. No.920/9 of Onnalvadi Village of Hosur Taluk”.

3. Along with compliance report, the proceedings of the Tahsildar dated 19.09.2023 was also placed before this Court. He has categorically come to the conclusion that no drainage has been constructed in the property belonging to the petitioner in S. No.920/9.

4. The learned counsel for the petitioner is disputing the said fact and he states that drainage infact ends in the property belonging to the petitioner in S. No.920/9.

5. Considering the limited scope of the contempt petition, this



Court will not be able to resolve this dispute. It is left open to the petitioner to work out his remedy before the competent Court, if his property has been encroached, in accordance with law.

6. With the above discussions, this Contempt petition is disposed of.

23.02.2024

Index : Yes / No
Internet : Yes / No
mjs

To

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Krishnagiri District.

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The Block Development Officer,
Block Development Office,
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3. V. Madesh,
The President,
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N.ANAND VENKATESH, J.,

mjs

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Vice President of O. Karapalli Village,
Onnalvadi Panchayat, Hosur Taluk,
Krishnagiri District.

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