



WEB COPY



Cont. P. No.2457 of 2022 & WP No.30859 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MR.JUSTICE P.D. AUDIKESAVALU

Contempt Petition No.2457 of 2022
and Writ Petition No.30859 of 2022
and WMP Nos.30266 & 30268 of 2022

Contempt Petition No.2457 of 2022

C.M.Sekar

... Petitioner

Versus

R. Vishvanathan
The Revenue Divisional Officer,
O/o. Divisional Officer,
Harur, Dharmapuri District.

... Respondent

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondent for wilful disobedience of the order passed by this Court in W.P.No.22214 of 2021 dated 22.10.2021 as per the contempt of Court Act.



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For Petitioner : Mr.J.Pradeep

For Respondent : Mr.A.Selvendran
Special Government Pleader

Writ Petition No. 30859 of 2022

P.Saravanan

... Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
District Police Office,
Dharamapuri 636 705.

2. The Revenue Divisional Officer,
Harur Taluk Office,
Harur 636 903.

3. The Station House Officer,
GK Road, Harur Taluk,
Dharmapuri District.

4. C.M.Sekar

5. The R.R.Infraa Contractor
Tirupathur Main Road
Near Annapoorna Hotel, Harur
Dharmapuri.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for
issuance of a Writ of Certiorarified Mandamus, to call for the records on the



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file of the second respondent in proceedings No.Moo.Mu.3901/2021/Aa2 dated 28.12.2021 and quash the same as illegal incompetent and without jurisdiction in so far as it involves the removal of the earth clandestinely from the petitioner's property in the form of removing the soil purported to have been stored in the patta lands of the fourth respondent.

For Petitioner : Mr.V.Raghavachari

For Respondent : Mr.A.Selvendran
Special Government Pleader
for RR 1 to 3

Mr. J.Pradeep, for R4

COMMON ORDER

(Order of the Court was delivered by R.SUBRAMANIAN, J.)

The grievance of the petitioner in the Writ Petition is that under the guise of removing the sand from public land, sand in his property is also being removed and he does not want that to happen. Therefore, the direction given in WP No.22214 of 2021 dated 22.10.2021 will be confined only to public land viz. channel or road and the land of the petitioner. The Authority shall not enter upon any other land under the guise of executing this order.



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2. Mr.A.Selvendran, learned Special Government Pleader also reports that the sand that was dumped in the water poles, had been removed. The learned counsel for the petitioner disputes that. The fact that the sand has been removed from the Water Course and other Promboke land, is recorded and the contempt petition is **closed**. If the petitioner in the Writ Petition is aggrieved by the action of the Authorities, it is open to him to sue the Authorities for damages or take appropriate action.

3. The Writ Petition is disposed of with the observations. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

(R.SUBRAMANIAN, J.) (P.D. AUDIKESAVALU, J.)
22.03.2024

jv

Index: No
Internet: Yes
Speaking order
Neutral Citation: No



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To

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R.SUBRAMANIAN, J.

and

P.D. AUDIKESAVALU, J.

(jv)

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