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Cont.P.No.114 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

CORAM
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Cont.P.No.114 of 2024

P.Thangaraj

... Petitioner

Vs.

Purushothaman,
The Tahsildar,
Omalur, Omalur Taluk,
Salem District.

... Respondent

Prayer: Contempt Petition filed under Section 11 of Contempt of Court Act, 1971 to punish the respondent for his willful and wanton disobedience of order in W.P.No.25273 of 2023 dated 28.08.2023.

For Petitioner	: Mr.M.Elango
For Respondent	: Mr.A.Selvendran Special Government Pleader

ORDER

This Contempt Petition has been to punish the respondent for their wilful disobedience of this Court order in W.P.No.25273 of 2023 dated 28.08.2023.



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Cont.P.No.114 of 2024

2. This Court has passed the following order:

“4. Thus, considering the fact that the school run by the tenth respondent is housed in a patta land, as has been unequivocally stated by the Tahsildar, Omalur Taluk, we are not inclined to grant the relief sought by the petitioner. It is made clear that the Tahsildar, Omalur Taluk, shall abide by his aforesaid undertaking, of course, after affording an opportunity of hearing to the parties who are likely to be affected, including the tenth respondent, in the event of removal of encroachments in the Government Poramboke land.

5. Further, we direct the officials to adhere to the decision of a Coordinate Bench of this Court, in which, one of us (SVNJ) was a Member, in N.Sankar v.The Principal Secretary, Town and Country Planning, Government of Tamil Nadu and 3 others, to avoid disciplinary proceedings being initiated against them.”

3. With reference to the direction, the Tahsildar, Omalur Taluk has filed a Compliance Report. Para 4 and 5 of the Compliance Report reads as under:



WEB COPY



Cont.P.No.114 of 2024

“4.in compliance of the above said order, on the perusal of Village accounts it is found that all the fields surrounding S.No.75/1 is Patta land except S.No.75/2 with an ara of 1.07.5 Government Poramboke land classified as 'Kallankuthu'. Therefore the Omalur Firka Surveyor issued a Summon dated 27.01.2024 to the petitioner and other parties concerned and requested to be present on the proposed date of survey that is 31.01.2024 to measure the S.No. 75/2 which is Government Land. The said filed was measured on 31.01.2024 in the presence of Omalur Firkac Revenue Inspector, T.Maramangalam Group Administrative Officer and T.Maramangalam Village Assistant. Though summon was issued to the petitioner, the petitioner Mr.Thangaraj was not present during the said measurement work. It is found that the Government Land was not encroached by the School Management authorities.

5.the copy of the colored map of land survey, copy of summons issued to petitioners and others and copies of village accounts are enclosed herewith in compliance of order dated 28.08.2023 made in W.P.No.25273/2023.....”



Cont.P.No.114 of 2024

WEB COPY

4. In view of the fact that the Authorities found that the Government land was not encroached by the School Management Authorities, no further adjudication is required. Consequently, the Contempt Petition stands closed.

[S.M.S,J.] [K.R.S,J.]

27.02.2024

veda

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

To

The Tahsildar,
Omalur, Omalur Taluk,
Salem District.



WEB COPY



Cont.P.No.114 of 2024

S.M.SUBRAMANIAM,J.
AND
K.RAJASEKAR,J.

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Cont.P.No.114 of 2024

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