



CONT.P.(MD)SR No.95767 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Sub Application (MD) No.27 of 2024
in
CONT.P.(MD)SR No.95767 of 2023
in
WP(MD) No.21886 of 2023

Mr.Dhandayuthapani

... Petitioner

Vs

1.Mr.Sheik Abdullah
The Tahsildar,
Revenue Department,
Manamelkudi Taluk,
Pudukkottai.

2.Mr.Chellathurai,
The Firka Surveyor,
Manamelkudi Taluk,
Pudukkottai.

...Contemnors/Respondent

PRAYER in CONT.P.(MD)SR No.95767 of 2023: Contempt
Petition filed under Section 11 of the Contempt of Courts Act,
praying this Court to punish the contemnors/respondents under the
provisions of Contempt of Courts Act 1971 for their willful and
deliberate disobedience of the order passed by this Court in
WP(MD) No.21886 of 2023, dated 08.09.2023.



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For Petitioner :Mr.S.Bageerathan
For Respondents :Mrs.D.Farjana Ghoushia
Special Government Pleader

ORDER

The third respondent in WP(MD) No. 21886 of 2023 has filed this contempt petition as against the respondents that the order of this Court in the above writ petition has not been complied with. According to this petitioner, the respondents have not considered the objections of the third respondent at the time of conducting the survey.

2.This Court, while disposing of WP(MD) No.21886 of 2023, by order dated 08.09.2023 has directed the respondents therein to conduct the survey on the application filed by one Sakthivel in the following terms:-

“5. If the third respondent or the fourth respondent are having any grievance or raising any objections, the same shall be considered by the survey officer in accordance with law contemplated under Section 10(1) of the Tamil Nadu Survey and Boundaries Act, 1923 and pass an orders thereafter proceed with the survey after obtaining



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necessary police protection. The said exercise shall be completed within 12 weeks from the date of receipt of a copy of this order.”

3.The learned Special Government Pleader appearing for the respondents submits that the respondents have issued a notice to the third respondent /the petitioner herein for conducting survey on 01.11.2023 and they have conducted the survey on 06.11.2023. However, the petitioner herein has not raised any objections at that relevant point of time. A further notice was issued on 06.11.2023 and survey was once again conducted on 17.11.2023. Even at that time, the petitioner herein has not raised any objections and therefore, the official respondents have proceeded with the survey and conclude the same.

4.This Court considered the rival submissions made and also perused the materials placed on record.

5.Survey does not confer any right on the parties over the property. If the petitioner is having any grievance, he can work



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out his remedy before the competent civil Court. This Court is not inclined to entertain this application and accordingly this Contempt petition is closed at the SR stage itself.

22.03.2024

Index:Yes/No
Internet:Yes/No
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To

1.Mr.Sheik Abdullah
The Tahsildar,
Revenue Department,
Manamelkudi Taluk,
Pudukkottai.

2.Mr.Chellathurai,
The Firka Surveyor,
Manamelkudi Taluk,
Pudukkottai.



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B.PUGALENDHI, J.

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Order made in
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in
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in
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22.03.2024