



Cont.P(MD). No.738 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 21/06/2024

CORAM

**Justice N.SESHASAYEE
and
Justice R.VIJAYAKUMAR**

**Cont.P(MD). No.738 of 2024
in WP(MD) No.2439/2024**

1.S.K.Subadhra
2.R.Manjula Devi
3.V.Suganya

... Petitioners/Petitioners

Vs

1.K.P.Karthikeyan
District Collector,
Tirunelveli District
Tirunelveli

2.Esakkipandiyan
Thasildar
Ambasamudram Taluk
Tirunelveli District

3.R.Rajeswaran
Commissioner
Ambadamudram Municipality
Ambasamudram
Tirunelveli District

... Contemnors/
Respondents



Cont.P(MD). No.738 of 2024

PRAYER: Contempt Petition is filed under Section 11 of Contempt of Courts Act, 1971 to punish the contemnors for their wilful disobedience of the order dated 14.02.2024 in WP(MD) No.2439/2024.

For Appellant : M/s.R.Suriya Narayanan

For Respondents : Mr.N.Muthuvijayan for R1 &R2
Special Government Pleader
Mr.Veera Kathiravan for R3
Additional Advocate General
assisted by Mr.S.Packiyamuthu

ORDER

(Judgment of the Court was delivered by N.SESHASAYEE J.)

The petitioners have filed a writ petition in WP(MD) No.2439/2024, wherein, this Court comprising one of us (RVJ) had dismissed the petition with a direction to the authorities to remove the encroachment by due process of law.

2. The grievance of the contemnors is that the authority authorised in law to initiate eviction contemplated under the Land Encroachment Act is the revenue authorities and the Municipal Commissioner has no authority. He stated that this action is separately being challenged in W.P.(MD) No.3696/2024.



Cont.P(MD). No.738 of 2024

3. Inasmuch as the learned counsel for the petitioners has already taken steps to challenge the action of the third respondent, it would only be appropriate for the petitioners to agitate their right in the pending writ petition. This Court is not an execution Court to address all associate and related issues. If at all something is left in the pending writ petition, the petitioners herein are at liberty to agitate the same before the Court. Accordingly, this contempt petition is closed.

(N.S.S.,J.) (R.V.,J.)
21.06.2024

NCC : Yes/No
Index : Yes/No
RR



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Cont.P(MD). No.738 of 2024

**N.SESHASAYEE, J.
and
R.VIJAYAKUMAR, J.**

RR

Cont.P.(MD)No.738 of 2024

21.06.2024