



SUB A(MD). No.166 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Friday, the Twenty Eighth day of June Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice N.SESHASAYEE

AND

The Hon`ble Mr.Justice R.VIJAYAKUMAR

SUB A(MD). No.166 of 2024

in

CONT P(MD).No.25 of 2024

D.Devasahayam

... Petitioner/Petitioner/Petitioner

Vs

1 S.Nagarajan I.A.S.,
(The Then Commissioner) Dr. K.S.Palanisamy
I.A.S. The Commissioner of Land
Administration Commissioner of Land,
Administration, Chepauk,
Chennai 600 005.

... Respondent/Contemnor/Respondent

Prayer :-

To Revive and Restore the Contempt Petition in Cont. P(MD). No.25 of 2024 in WP(MD). No.24352 of 2022 dated 12.01.2024 on the file of this Honourable Court and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in CONT P(MD). 25/ 2024 :

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971



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to punish the Contemnor/Respondent for the deliberate and willful disobedience of the order dated 13.12.2022 passed by this Honourable Court in W.P.(MD). No. 24352 of 2022 and pass such further or other order as this Honourable Court.

Prayer in WP(MD). 24352/ 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to resume the properties in survey numbers 163C to the extent of 9.75 acres, 163B to the extent of 1.60 acres, 163G to the extent of 13.75 acres and 334 to the extent of 6 acres, totally to the extent of 31.10. acres, Thallakulam Village, Madurai Taluk, Madurai District to Government based on the assignment order and based on the petitioners representation dated 22.8.2022 according to law within stipulated time.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Thiru.A.Rajaram, Advocate for the Petitioner and of Thiru.V.Nirmal Kumar, Government Advocate for the respondent, this Court made the following order:

The instant application has been filed seeking to revive and restore the contempt petition that was closed on 12.01.2024 on the ground that so far the District Collector has not initiated any proceedings pursuant to the orders of this Court dated 13.12.2022 in W.P.(MD) No.24352 of 2022.

2. It is brought to our notice that in the order dated 13.12.2022, a direction has been issued to the Commissioner of Land Administration to conduct an enquiry and pass



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orders. The said order has been complied with and the Commissioner of Land Administration has passed orders on 11.01.2024. the said order has been challenged by the aggrieved party in W.P.(MD) Nos.2772 and 2860 of 2024 and interim order of status quo has been granted by this Court. In such circumstances, the allegation of the contempt petitioner that so far no orders have been passed or any action has been taken does not appear to be correct and we do not find any reason to restore and revive the contempt petition.

3. This Sub Application is dismissed, accordingly.

Sd/-

Assistant Registrar (C.S.II)

// True Copy //

/07/2024

Sub Assistant Registrar
(CS-I , II , III, IV)

ABR

TO

1. S.Nagarajan I.A.S.,
(The Then Commissioner) Dr. K.S.Palanisamy
I.A.S. The Commissioner of Land
Administration Commissioner of Land,
Administration, Chepauk,
Chennai - 600 005.



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The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.SPL GP (SR-30943[F] dated 01/07/2024)

+1 CC to M/s.A.RAJARAM, Advocate (SR-30793[F] dated 28/06/2024)

ORDER DATED : 28/06/2024

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ORDER

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Giving direction and etc.
as stated within.



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SL(25.07.2024)/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.