



CONT.P(MD)No.1619 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2024

CORAM :

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

CONT.P(MD)No.1619 of 2024

V.Arichandran

... Petitioner

vs.

Mr.Alavanthan,
The Executive Officer/Chair Person,
Monitoring Committee For Eviction of Encroachment,
Aundipatti Town Panchayat,
Theni District.

... Respondent

Prayer : Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the contemnor/2nd respondent for the deliberate and willful disobedience of the order dated 26.04.2024 passed by this Court in W.P(MD)No.10210 of 2024.

For Petitioner : Mr.M.Pounraj

For Respondent : Mr.P.Thilakkumar, Government Pleader

ORDER

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

Learned Government Pleader appearing for the respondent would submit that though an order was passed under Section 128(1)(b) of the Tamil



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Nadu Urban Local Bodies Act, 1998, to remove the encroachment, the same was set aside by this Court in W.P(MD)No.19566 of 2024 on the ground that the provisions of Section 128(1)(b) have not been complied with, inasmuch as there was no show cause notice issued to the alleged encroacher. He would also add that a fresh show cause notice has been issued on 23.08.2024 giving the encroacher seven days time to respond.

2. Since the action is underway as per the directions contained in the order dated 26.04.2024, the Contempt Petition is closed with liberty to the petitioner to seek re-opening if the encroachment is not removed within a reasonable time.

(R.S.M, J.) (L.V.G, J.)
30.08.2024

Index : Yes / No
Neutral Citation : Yes / No
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To

Mr.Alavanthan,
The Executive Officer/Chair Person,
Monitoring Committee of Eviction of Encroachment,
Aundipatti Town Panchayat,
Theni District.



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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

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ORDER MADE IN
CONT.P(MD)No.1619 of 2024
DATED : 30.08.2024