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Cont.P.(MD).No.1855 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2024

CORAM

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**Contempt Petition(MD)No.1855 of 2023
in
Writ Appeal (MD)No.1632 of 2018
and
Sub Application (MD)Nos.321 of 2023 & 98 of 2024**

PonnurengaMannar

... Petitioner

Vs.

1.Dr.K.Santhilraj, IAS,
The District Collector,
Thoothukudi.

2.Mr.Gauravkumar, IAS,
The Sub Collector/Revenue Divisional Officer,
Beach Road, Thoothukudi.

... Respondents

PRAYER: This Contempt Petition is filed under Section 11 of the Contempt of Courts Act, to punish the Contemnors/respondents for their wilful, deliberate, disobedience of the order passed by this Court in W.A(MD)No. 1632 of 2018 dated 21.12.2022.

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For Petitioner : Mr.TSR.Venkataramana

For Respondents :Mr.Veerakathiravan
Additional Advocate General assisted by
Mr.A.K.Manikkam
Spl. Govt. Pleader

ORDER

DR.G.JAYACHANDRAN,J.
and
C.KUMARAPPAN,J.

For not complying with the order passed by this Court in W.A(MD)No.1632 of 2018 dated 21.12.2022, this contempt petition has been filed and this Court on perusing the affidavit filed along with the contempt petition and after affording opportunity for compliance, recorded that there is *prima facie* material to draw the conclusion that there is a wilful contempt of Court order and therefore, directed the District Collector, Thoothukudi and the Sub Collector, Thoothukudi to be present to explain why contempt proceedings should not be initiated against them.



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2. The learned Additional Advocate General appearing on behalf of the contemnors has produced a copy of the G.O(Ms)No.56 dated 25.03.2024 issued by the Water Resources Department sanctioning a sum of Rs.25,29,683/- (Rupees Twenty Five Lakhs Twenty Nine Thousand Six Hundred and Eighty Three only) towards compensation for the land acquired. The learned Additional Advocate General submitted that within a period of ten days, the amount will be disbursed to the claimants.

3. The learned counsel for the contempt petitioner submitted that the compensation has not been calculated properly and the claimants are entitled for more compensation as per the order of this Court.

4. This Court is of the view that since there is substantial compliance of the order passed by this Court though belatedly, there need not be any proceedings under the Contempt of Courts Act. If there is any difference in payment, the petitioner shall make proper representation to the authorities and seek for appropriate compensation and if such representation is made,



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the same shall be disposed of on merits within a period of eight weeks from the date of receipt of such representation.

5. The District Collector, Thoothukudi District, who was directed to appear before this Court, has not appeared, however, he has filed an application to dispense with his personal appearance in view of the other emergency duty. His explanation is accepted and the personal appearance of the respondents/contemnors is dispensed with.

6. In view of the above fact, this Contempt Petition is closed. Consequently, Sub Application (MD)No.98 of 2024 for dispensing with the personal appearance, is closed. Since the order has been passed sanctioning compensation amount, Sub Application (MD)No.321 of 2023, for attachment of the property is also closed.

(G.J.,J.) (C.K.,J.)
26.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
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1. Dr. K. Santhilraj, IAS,
The District Collector,
Thoothukudi.
2. Mr. Gauravkumar, IAS,
The Sub Collector/Revenue Divisional Officer,
Beach Road, Thoothukudi.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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