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Cont P. No.1857 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :23.07.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Cont P.No.1857 of 2025

in

W.P.No.38511 of 2024

A. Paramasivan

... Petitioner

VS-

1. Mrs. Grace Pachavu
The District Collector,
District Collectorate Perambalur,
Perambalur

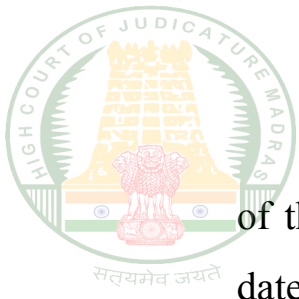
2. Mr.S.Gokul,
Sub- Collector, Perambalur
Perambalur

3. Mr. Balasubramanian,
Tashildar,
Perambalur

4. Mr. Ramachandiran,
Village Administrative Officer, Perambalur North,
Perambalur

..Respondents

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent for disobedience of the order



Cont P. No.1857 of 2025

of this Hon'ble Court in Writ Petition bearing W.P.No. 38511 of 2024
dated 20.12.2024.

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For Petitioner : Mr.A. Arunkumar

For Respondents 1 to 4 : Mr. A. Selvendran
Special Government Pleader

ORDER

The Contempt Petition has been filed on the ground that the respondents have failed to comply with the orders of this Court passed in W.P.No. 38511 of 2024 dated 20.12.2024 .

2. In the aforesaid writ petition, this Court had directed the respondents to consider the representation of the petitioner dated 25.06.2024 to rectify the names in the patta in respect of the properties comprised in Old S.Nos.467/21, 467/14 and 467/24 situated in Perambalur Village, Perambalur Taluk and District in the light of the proceedings in Mu.Muu.A2/5623/2015 dated 19.08.2015 of the 3rd respondent.

3. The petitioner had filed the writ petition on the ground that the



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properties in question belonged to the petitioner's grandfather who had moved to Sri Lanka to eke out his livelihood. In the year 1949, the petitioner's grandfather had died leaving behind the petitioner's father as his sole legal heir. The petitioner's father was extradited to India in the year 1978 and was thereafter shifted to the Srilankan Repatriate Camp. He was also issued with a Repatriate Certificate on 22.11.1983 tracing the origin and residence of the petitioner's grand father along with the list of properties owned by him. The petitioner's father had died on 17.09.2004 leaving behind him surviving his wife, his son/the petitioner herein and his four daughters as his legal heirs.

4. The petitioner would thereafter submit that on enquiry, he came to understand that the patta in respect of the subject properties had been issued in the names of various persons during the UDR scheme. Immediately, the petitioner's mother sent a representation dated 23.02.2015 to the 3rd respondent, who, by his proceedings dated 19.08.2015, affirmed the error in issuance of the patta and directed the authorities to rectify the same. Since the order was not implemented by the 4th respondent and in the meanwhile, the petitioner's mother had died



Cont P. No.1857 of 2025

on 23.09.2024, the petitioner had made a representation dated 25.06.2024 which was also not responded to by the respondents

Therefore, the petitioner has approached this Court.

5. Taking into account the order passed by the 3rd respondent dated 19.08.2015, this Court had passed the order which is the subject matter of this contempt petition.

6. When the contempt petition had come up on 25.06.2025, this Court had directed the 3rd respondent-Tahsildar to appear before this Court on 27.06.2025, taking into consideration the fact that the orders had not been complied with. The Tahsildar, on 27.06.2025, was present before this Court and he had produced the DR Register and Personal Register of the year 2015. The contention of the learned Special Government Pleader was that the proceedings of the 3rd respondent, which was the basis on which the order in the writ petition had been passed, is a forged and fabricated document. He would submit that there is no such entry of the letter or the order of the 3rd respondent. Since the DR Register and Personal Register did not specifically contain the



Cont P. No.1857 of 2025

WEB COPY

entries from 22.03.2015 till 19.08.2015, the Tahsildar was directed to produce the original documents for the said period and the matter was adjourned to 04.07.2025. On 04.07.2025, the original files were produced before this Court. On verification of the records, the document bearing No.Mu.Muu/A2/5623/2015 dated 19.08.2015 referred to a Legal Heirship Certificate and there is no entry or order of the 3rd respondent of the said date having the same reference number. That apart, there is no entry in the DR Register or B2/A2 Register to show that a representation had been received from the petitioner's mother, Nagammal, W/o.late Arumugam.

7. On 17.07.2025, the learned counsel for the petitioner sought time to get instructions and the respondents were directed to file a counter and the matter was adjourned to 23.07.2025.

8. A counter has been filed by the 3rd respondent wherein in paragraphs 6 and 7, the 3rd respondent has stated as follows:

"6.....I state that on enquiry it was found that this



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Cont P. No.1857 of 2023

Respondent had not issued any such proceedings in favor of the petitioner and the alleged proceedings no. A2/5623/2015 pertains to Legal Heirship certificate of one Mrs. Saraswathi W/o. Rvchandran, Echampatti Village, Perambalur Taluk, which is no way connected to the Petitioner and the said proceedings for legal heir certificate was issued by the then Tahsildar viz.Selvaraj and unfortunately he expired on 18.05.2021.

7. It is further relevant to state that if a person gives a petition the same will be first entered in Distribution Register, thereafter the said application will be assigned to assistant working in Section A1, A2, A3, B1, B2, B3, S. I state that for the year 2015, A1 section pertains to Encroachment, Natural calamity, Stamps etc. & A2 section pertains to Srilankan Refugees, Establishment, Complaints on staff etc, A3 pertains to Legal Heir Certificate, RTI & others. I state that B1 section pertains to Land alienation, land transfer, CM cell petitions & others, B2 section pertains to patta transfer, Appeal cases etc, B3 pertains to Birth and Death Certificate and other certificates, S pertains to Subdivision, F-line, Survey. In the present case the proceedings number mentioned by the Petitioner i.e. A2/5623/2015 does not belong to Patta section and the Number 5623/2015 pertains to A3 section which is legal heir certificate. Hence, it is evident that the said proceedings was fraudulently created by the Petitioner. I state that this Hon'ble Court had directed me to produce the files pertaining to the present case and the same was also produced before this Hon'ble Court.



Cont P. No.1857 of 2025

WEB COPY

Therefore, in the light of the above averments and the fact that a perusal of the original documents also clearly shows that the document under the reference relates to a Legal Heirship Certificate issued to a totally unconnected person, it is clear that the basis on which the order had been obtained is on a fabricated document. The petitioner has not made out a case for contempt and therefore, the contempt petition is dismissed.

23.07.2025

Index: Yes/No
Speaking order/non-speaking order
Neutral Citation: Yes/No
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WEB COPY



Cont P. No.1857 of 2025

P.T.ASHA, J.,

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Cont P.No.1857 of 2025
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