



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-06-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

CONT P No. 35 of 2025

P.K. Udhuman Mohideen

Petitioner(s)

Vs

1.D.Arumugam

Tahsildar, Pallavaram Taluk Office,
Pallavaram, Chennai 600 043.

2.A.S.Baskaran

3.Saravanan

Inspector of Police,
S-6 Police Station,
Shankar Nagar, Pammal,
Chennai-600 075.

Respondent(s)

PRAYER

To punish the respondents for committing Contempt for the violating the Order dated 09/07/2024 in Writ Petition No.13481 of 2019.

For Petitioner(s): Mr.N.Muralikumaran
For M/s.Mcgan Law Firms



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For Respondent(s): Mr.S.J.Mohamed Sathik
Government Advocate For R1
Mr.V.Sundararaman For R2
Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)
For R3

ORDER

The contempt petition was filed mainly on two grounds. The first ground is that the Tahsildar did not comply with the directions issued by this Court by failing to inquire into the application submitted by the petitioner seeking a patta for the subject property.

2. The second ground is that despite a pending civil dispute between the parties, the rival party, with the help of outsiders/third parties, some of whom claimed to be advocates, barged into the property and created a ruckus. It is alleged that this incident occurred in the presence of the Police and Police did not take any action.



3. In the light of the above allegations made by the petitioner, this Court thought it fit to direct the Tahsildar and the Police to appear before this Court by order dated 29.04.2025.

4. When the matter came up for hearing on 05.06.2025, even though the Tahsildar and the Inspector of Police, S6 Police Station, Pammal were present before this Court, no affidavit was filed. Consequently, this Court adjourned the matter to 11.06.2025, and directed the Tahsildar and the Inspector of Police to be present and file their affidavits. The matter is now placed before this Court accordingly.

5. The Tahsildar, namely the 1st respondent has filed a counter affidavit and the relevant portions are extracted hereunder:

“4. I state that pursuant to order of this Hon'ble Court, the present 1st Respondent had enquired the application of the Petitioner as per the directions of this Hon'ble Court and the present 1st Respondent by an order dated 21.04.2025 made in Na.Ka.No.2635/2024/Al was



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pleased to reject the Petitioner's application for cancellation of patta. I state that the order of this Respondent was also served on the Petitioner. I state that the order of this Hon'ble High Court has been complied to its letter and spirit. I humbly submit, at the outset, I tender my unconditional apology before this Hon'ble Court without any reservation whatsoever for any of the act or commission or omission on my part that may be considered or construed or likely to be construed as being an act, commission or omission, in violation of the orders of this Hon'ble Court. I would like to humbly submit that the deponent herein has the highest regard and much respect for this Hon'ble Court and obeying the orders passed by this Hon'ble Court in its letter and spirit.”

6. The Inspector of Police, namely the 3rd respondent has filed a counter affidavit and the relevant portions are extracted hereunder:

“5. I respectfully submit that pursuant to order of this Hon'ble Court, the 1st Respondent had sought for police protection vide letter in Na.Ka.No.3508/2024/A1 dated 08.11.2024 for surveying the property on 11.11.2024 situate at T.S.No.2, S.No.187/1A1A2A, M Block, Pammal



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Village, Pallavaram Taluk, Chengalpattu District. I further state that pursuant to the letter of the 1st Respondent, the 3rd Respondent gave police protection on 11.11.2024 for surveying the property. It is further submitted that at the time of Surveying in the said Property, the 2nd respondent objected the same and they started to quarrel with each other, due to which the survey has been stopped on the that day. Thereafter, I did not provide police protection for survey for the said land or any other subsequent date.”

7. The Tahsildar in his affidavit does not even state that a survey was planned to be conducted and for that purpose, he had sought for police protection from the 3rd respondent. However, the availability of the Police on the spot is explained by virtue of the affidavit filed by the 3rd respondent stating that Tahsildar, through a communication dated 08.11.2024, requested for police protection in order to conduct the survey. Accordingly, the Police were present at the spot. However, since there was quarrel between both the parties, the survey was not conducted and hence the police protection was not provided.



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8. The counter affidavit filed by the Inspector of Police does not talk anything about the presence of many outsiders on the property, which is evident from the photographs that form part of the paper book.

9. The Tahsildar should have informed this Court that he proposed to conduct a survey and for that purpose, sought for police protection. For reasons best known to the Tahsildar, this fact was not mentioned in the counter affidavit filed before this Court.

10. The learned Government Advocate appearing on behalf of the 1st respondent submitted that the representation made by the petitioner has been considered and an order was passed by the 1st respondent dated 21.04.2025, rejecting the application submitted by the petitioner seeking cancellation of patta.

11. In light of the above development, the direction that was issued by this Court has been complied with. If the petitioner has any grievance with



respect to the rejection of the application for cancellation of patta, it is left open to the petitioner to workout his remedy in the manner known to law. It is made clear that the civil dispute will be adjudicated before the Civil Forum and neither the Revenue Authorities nor the Police will interfere with the same.

12. With the above observations, this Contempt Petition is closed. No costs.

11-06-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

Jeni

To

1. The Tahsildar, Pallavaram Taluk
Office, Pallavaram, Chennai 43

2. The Inspector of Police,
S-6 Police Station,
Shankar Nagar, Pammal,
Chennai-600 075



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N.ANAND VENKATESH J.

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