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Cont. P. No.46 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

CORAM

THE HONOURABLE MR. JUSTICE **S.M.SUBRAMANIAM**
AND
THE HONOURABLE MR. JUSTICE **MOHAMMED SHAFFIQ**

Cont. P. No.46 of 2025

M.L.Damotharan

... Petitioner

Vs.

- 1.Mr.Prabhu Shankar, I.A.S.,
The District Collector,
Office of the Collector of Thiruvallur,
Thiruvallur, Thiruvallur District.
- 2.Mr.Madhivanan,
The Tahsildar,
Ponneri Taluk, Ponneri,
Thiruvallur District.
- 3.Mr.Manickkam,
The Block Development Officer
(Block Panchayats),
Commissioner, G.N.T. Road,
Solavaram, Chennai – 600 067.
- 4.Mr.Jalaludin,
The Secretary,
Solavaram First Grade Panchayat,
Old Library Road, Solavaram,
Chennai – 600 067.

... Respondents



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Petition filed under Section 11 of The Contempt of Courts Act, 1971 to punish the Respondents for their wilful and deliberate disobedience of the order of this Court dated 15.07.2024 passed in W.P.No. 18839 of 2024.

For Petitioner : Mr.S.Shanmuga
For Respondents : Mr.Vadivelu Deenadayalan,
Additional Government Pleader

ORDER

(Order of the Court was made by *S.M.SUBRAMANIAM, J.*)

The contempt petition has been instituted to punish the respondents for their willful disobedience of the orders of this Court dated 15.07.2024 passed in W.P.No.18839 of 2024.

2. The encroachers subsequently filed a writ petition in W.P.No.23032 of 2025. Another Division Bench of this Court passed a final order on 26.06.2025 and the relevant portion of the order reads as follows:

'9. The following order is made:

- i. It is open to the writ petitioners to file a statutory revision under Section 10-A of said 1905 Act*



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assailing the impugned order of R3 dated 11.06.2025 bearing reference Na.Ka.No.3382599/2025/Aa3;

- ii. The impugned order of R3 has been served on the writ petitioners on 20.06.2025. This means that the writ petitioners have time till 20.07.2025 to prefer revision (this is vide sub-section (2) of Section 11 of said 1905 Act);*
- iii. As writ petitioners have time till 20.07.2025 to prefer revision, coercive action, if at all and if that be so, shall be kept in abeyance till 20.07.2025;*
- iv. Notwithstanding the above directive, it is open to the writ petitioners to seek interim stay pending revision before the revisional authority by resorting to Section 10-B of said 1905 Act;*
- v. The stay petition shall be disposed of by the revisional authority within four weeks from the date of filing of the revision petition and stay petition;*
- vi. Though obvious, we make it clear that if the writ petitioners file a revision under Section 10-A together with stay petition under Section 10-B of said 1905 Act, there will be no coercive action till disposal of the stay petition one way or the other within the aforereferred four weeks time frame;*



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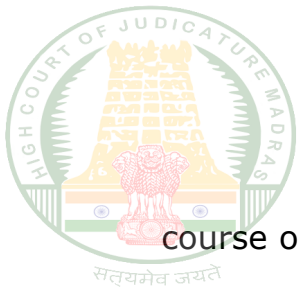
vii.If the stay petition disposal is in favour of the writ petitioners, the main revision will proceed;

viii.If the stay petition disposal is adverse to the writ petitioners, the order in the stay petition will be kept in abeyance for a fortnight to enable the writ petitioners to seek judicial review, if so advised and if so desired;

ix. Though obvious, we make it clear that if the writ petitioners do not prefer revision on or before 20.07.2025, the impugned order will get resuscitated and the impugned order can be put in motion by the State for carrying the same to its logical end.

10. Captioned main WP stands disposed of in the aforesaid manner. In the light of the aforesaid directives, stay WMP being W.M.P.No.25874 of 2025 has become otiose and the same is disposed of as closed. W.M.P.No.25875 of 2025 is disposed of as closed but all rights and contentions of writ petitioners are left open to be canvassed in the revision, if so advised and if so desired. There shall be no order as to costs.'

3. Pursuant to the liberty granted, the encroachers filed a revision petition before the Secretary to Government, Revenue and Disaster Management Department, Secretariat, Chennai - 9. Learned Additional Government Pleader brings it to the notice of this Court that during the



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course of enquiry, the encroachers themselves submitted a representation seeking a period of one month's time to vacate the encroached land.

Therefore, the enquiry is kept pending.

4. In view of the subsequent development, no further adjudication needs to be undertaken in the present contempt petition. In the event of failure on the part of encroachers to vacate the encroached land, the respondents are bound to evict them by continuing the process, which had already been initiated pursuant to the order of this Court. The contempt petition stands closed.

[S.M.S., J.] [M.S.Q., J.]
09.10.2025

Index:Yes
Neutral Citation:Yes/No
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To

- 1.The District Collector,
Office of the Collector of Thiruvallur,
Thiruvallur, Thiruvallur District.
- 2.The Tahsildar,
Ponneri Taluk, Ponneri,
Thiruvallur District.



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3.The Block Development Officer
(Block Panchayats),
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4.The Secretary,
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