



Cont.P(MD)No.126 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

Cont.P(MD)No.126 of 2025

in

W.P(MD)No.13023 of 2024

S.Iyyappan

... Petitioner/
Petitioner

Vs.

1.S.Rajesh Ayyanar Murugan,
Executive Officer,
Theroor Panchayat,
Theroor,
Kanyakumari District.

2.Neela Balakrishnan,
Block Developmental Officer /
Rural Development Officer,
Agasteeswaram Taluk,
Nagercoil,
Kanyakumari District.

... Contemnors/
Respondents 3 & 4



Cont.P.(MD)No.126 of 2025

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act, to punish the Contemnor / Respondents 3 & 4 herein for their deliberate and willful disobedience of the order of this Court dated 19.06.2024 passed in W.P(MD)No.13023 of 2024 which is amounting to contempt of Court under the Contempt of Courts Act, 1971.

For Petitioner : Mr.R.Murugan

For Respondents : Mr.S.RA.Ramachandran
Additional Government Pleader

ORDER

The petitioner herein filed W.P(MD)No.13023 of 2024 for removing the encroachments in the petition mentioned survey number. We were under the impression that the land fell within the limits of village panchayat. That is why a direction was given to refer the matter to the jurisdictional Tahsildar.

2.Now it turns out that Theroor Panchayat is actually a town panchayat. Therefore, the Executive Officer of the town panchayat can himself can take action for removal of encroachment under Section 128 of Tamil Nadu Urban Local Bodies Act, 1998.



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3.The learned Additional Government Pleader informs the Court that such a notice has been issued on 07.10.2024 and 17.02.2025. It is further stated that the petitioner is also one of the encroachers.

4.We direct the Executive Officer of Theroor Town Panchayat to take the process to its logical conclusion.

5.The learned Additional Government Pleader on instruction states that there are encroachments. It is further undertaken that the encroachments will be cleared within a period of eight weeks from the date of receipt of a copy of this order.

6.This Contempt Petition is disposed of with the aforesaid direction.

[G.R.S., J.] [M.J.R., J.]
21.02.2025

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
MGA



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G.R.SWAMINATHAN,J.

AND

M.JOTHIRAMAN, J.

MGA

To

- 1.The Executive Officer,
Theroor Panchayat,
Theror,
Kanyakumari District.
- 2.The Block Developmental Officer /
Rural Development Officer,
Agasteeswaram Taluk,
Nagercoil,
Kanyakumari District.

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