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CONT.P.(MD)NO.965 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CONT.P.(MD)No.965 of 2024 IN
W.P.(MD)No.26018 of 2023

Ramasamy Gounder

... Petitioner / 3rd Party

Vs.

1. Mr.Muthusamy,
Tahsildar,
Oddanchatram Taluk,
Dindigul District.

2. Mr.Dinesh Babu,
Firka Surveyor,
Idayakottai, Oddanchatram Taluk,
Dindigul District. ... Contemnors 1 & 2/Respondents

3. Tamilarasi ... 3rd Contemnor / Petitioner

Prayer: Contempt petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the contemnors / respondents for their willful disobedience of the order passed by this Court.

For Petitioner : Mr.D.Venkatesh

For Respondents : Mr.S.Kameswaran,
Government Advocate for R-1&R-2.

Mr.T.Lenin Kumar for R-3.

* * *



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ORDER

Heard both sides.

2. The petitioner herein is aggrieved by the action of the third respondent in putting up a fence. According to the petitioner, the third respondent herein had misused the order dated 31.10.2023 made in W.P.(MD)No.26018 of 2023. I am not able to entertain the petitioner's request. The petitioner herein had filed declaration suit in O.S.No.114 of 2015 on the file of the District Munsif Court, Oddanchatram and it was dismissed on 16.11.2021. First appeal was filed by the petitioner with delay of 500 days. The subject matter of the writ petition is included in the suit schedule. The petitioner would not get the declaration sought for till he succeeds in the appeal. It is needless to mention that if the petitioner succeeds in the appeal, the third respondent will have to dismantle her fencing put up by her without waiting for any formal direction from the first appellate Court. This contempt petition is closed with the aforesaid direction. The outcome of the survey proceedings pursuant to the



direction given by this Court in the aforesaid writ petition will not be in any way taken advantage by the third respondent in the pending appeal.

27.11.2025

NCS : Yes / No

Index : Yes / No

Internet : Yes/ No

PMU

To:

1. The Tahsildar,
Oddanchatram Taluk,
Dindigul District.
2. The Firka Surveyor,
Idayakottai, Oddanchatram Taluk,
Dindigul District.



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G.R.SWAMINATHAN,J.

PMU

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