



Cont.P(MD)No.388 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

Cont.P(MD)No.388 of 2025

in

W.P.(MD) No.18777 of 2023

Abbas Mandhiri

... Petitioner

Vs

1. Marudhapandi,
The Tahsildar,
Periyakulam Taluk Office,
Periyakulam, Theni District.

2. Vijaya,
The Executive Officer,
Town Panchayat Office,
Devadhanapatti,
Periyakulam Taluk,
Theni District.

... Respondents

PRAYER: Contempt Petition filed under Section 10 of the Contempt of Courts Act, to punish the contemnors for willful disobedience of order dated 07.11.2023 passed in W.P.(MD).No.18777 of 2023.



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For Petitioner : Mr.S.Vellaichamy,
For R1 : Mr.Om Prakash
Government Advocate

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The contempt petition has been instituted to punish the respondents for their wilful disobedience of the orders of this Court, dated 07.11.2023 passed in W.P.(MD)No.18777 of 2023.

2.This Court has issued a direction based on the Government orders for removal of encroachments. However, at the time of passing of the order, no report was called for regarding the details of the encroachment from the competent authority. This Court has directed the authorities to look into the complaint filed by the petitioner and take action in accordance with law and by following the procedures.

3.The learned Counsel for the petitioner would submit that the survey was conducted and encroachments are identified.



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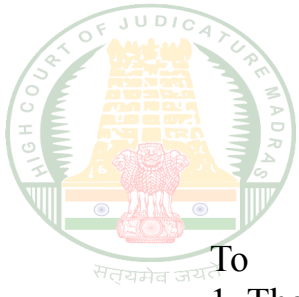
4.If the statement is correct, the authorities ought to have initiated action. As far as the contempt proceedings are concerned, unless there is a wilful disobedience of the orders of the Court, no proceedings needs to be initiated. That apart, this Court has granted liberty to the petitioner to seek appropriate relief. That being so, the present contempt petition is not maintainable, since this Court has not adjudicated the issues on merits, but directed the authorities to look into the complaint and take a decision.

5.Thus, this contempt petition stands dismissed.

[S.M.S., J.] [A.D.M.C., J.]
05.06.2025

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

LR



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To

1. The Tahsildar,
Periyakulam Taluk Office,
Periyakulam, Theni District.

2. The Executive Officer,
Town Panchayat Office,
Devadhanapatti,
Periyakulam Taluk,
Theni District.



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S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

LR

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