



CONT.P.(MD)No.1002 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

CONT.P.(MD)No.1002 of 2020

in

W.P.(MD)No.11889 of 2020

T.Nehru

... Petitioner

Vs.

**Mr.S.Sundara Pandian,
The Tahsildar,
Melur Taluk, Madurai District.**

...Respondent

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondent for willful disobedience of the order dated 22.09.2020 passed in W.P.(MD)No.11889 of 2020 on the file of this Court.

**For Petitioner : Ms.K.Shwathini,
for Mr.G.Prabhu Rajadurai**

**For Respondent : Mr.M.Sarangan,
Additional Government Pleader**



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ORDER

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

This Contempt Petition has been instituted to punish the respondent for the willful disobedience of the order of this Court dated 22.09.2020 passed in W.P.(MD)No.11889 of 2020.

2.This Court passed the following order:-

“5.Though the petitioner prays for a larger relief, this Court, in the light of the above facts and circumstances and without going to the merits of the claim projected by the petitioner, permits the petitioner to submit a detailed response to the impugned notice dated 04.09.2020 issued by the first respondent, by enclosing relevant and authenticated documents, within a period of two (2) weeks from the date of receipt of a copy of this order and upon receipt of the same, the first respondent is directed to consider the same and give a disposal in accordance with law within a further period of three (3) weeks thereafter and till such time, shall defer further decision in terms of the impugned notice dated 04.09.2020. It is also made clear that the petitioner, till the disposal of the representation submitted by him, by the first respondent, shall not create any third party rights in respect of the lands in question.”



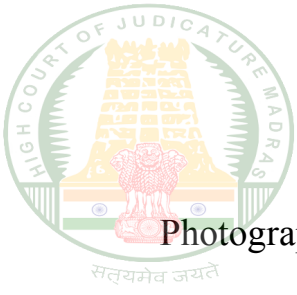
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3.The learned counsel appearing for the petitioner would mainly contend that there was a delay in receiving certified copy of the order and before submitting the documents, the authorities competent have completed the enforcement action. Thus, they have violated the order of this Court and committed contempt.

4.The learned Additional Government Pleader appearing for the respondent would oppose by stating that the order was made known to the petitioner long before and that apart, notice was also issued by the authorities competent and in response to the notice, the petitioner has not submitted any documents to establish his right. The authorities competent have verified the revenue records and found that the petitioner was an encroacher and thereafter, the encroachments were removed on 08.10.2020. Therefore, it cannot be construed that no opportunity was provided to the petitioner, but the petitioner has not availed the opportunity nor produced any document to establish his right.

5.In any event, the authorities competent, based on the revenue records, removed the encroachments and now, possession is with the Government.



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Photographs furnished before this Court would also reveal that the authorities competent have already taken possession of the subject property and installed a notice board.

6.That being so, this Court is of the considered view that the respondent has not committed any willful disobedience of the order of this Court and consequently, this Contempt Petition is dismissed. It is made clear that no further encroachment should be allowed in the subject property by the authorities competent. In the event of any further encroachment, the authorities competent shall register a criminal case and prosecute the offenders under the relevant criminal law.

**(S.M.S., J.) & (A.D.M.C., J.)
24.07.2025**

NCC : Yes / No
Index : Yes / No

Yuva

To

Mr.S.Sundara Pandian,
The Tahsildar,
Melur Taluk, Madurai District.

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