



Cont.P.(MD).No.1885 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2025

CORAM

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Cont.P.(MD).No.1885 of 2024

T.Rathinavel

... Petitioner

-VS-

1. Tmt.R.V.Shajeevana I.A.S.,
The District Collector,
Office of the Collectorate,
Theni, Theni District.
2. Thiru.K.Thirupathivasagan,
The Block Development Officer,
Village Panchayat,
Andipatty Taluk,
Theni District.
3. Mr.Kannan,
The Tahsildar,
Taluk Office,
Andipatty,
Theni District.

... Respondents

Prayer: Petition filed under Section 11 of Contempt of Court Act, 1971 to punish the respondent herein for willful disobedience of the order of this Hon'ble Court dated 27.01.2023 made in W.P.(MD).No.1548 of 2023.



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Prayer in WP(MD). 1548/ 2023 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment made by the 4th respondent at Public Street in S.No.2650/28 which is situated at Sidaiyagoundanpatti village, Andipatty Bit - II, Andipatty, Theni District by considering petitioners representations dated 12.12.2022, 29.12.2022 within time frame fixed by this Honble Court.

For Petitioner : Mr.J.Senthil Kumaraiah

For Respondents: Mr.G.Suriya Ananth
Additional Government Pleader

ORDER

(Order of the Court was made by the Hon'ble Rmt.Teekaa Raman J.)

The learned Additional Government Pleader appearing for the Respondents has produced a copy of the communication sent by the Taluk Development Officer, Panchayat Union, Andippatti on 07.01.2025, wherein it is recorded that the encroachment in S.No.2650/28 was removed in the presence of the police and the report of the President, Panchayat Union, Andippatti has also stated that in the presence of the police the encroachment in S.No.2650/28 was completely removed and the photographs of the execution of the work of removal of the staircase leading to the house and the pathway leading to the house was removed in the presence of the police as could be seen from the photographs annexed with the geographical



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2. The case of the Petitioner is that only 2.2 inches in respect of four steps leading to the house was removed, however the staircase leading to the first floor of the house was also removed. Whether a complete approval has been obtained for constructing the first floor or not is a subject matter of this case. Hence, we record the substantial compliance. Accordingly, the Contempt Petition is closed. However, it is open to the Petitioner to file a suit to agitate his rights.

Sd/-

08/01/25

// True Copy //

/02/2025

Sub Assistant Registrar
(CS- I/ II / III / IV)

rgm

+1 CC to M/s.SPL.GP (SR-2185[F] dated 10/01/2025)

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KVL(17/02/2025) 4P 2C

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