



Cont.P.(MD) No.2012 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Cont.P.(MD) No.2012 of 2024

in

W.P.(MD) No.26352 of 2023

P.Shanmugavel

... Petitioner

-VS-

1.A.K.Kamal Kishore
District Collector
Tenkasi District
Tenkasi

2.Paulraj
Block Development Officer
Village Administrative Office
Keelapavur, Pavurchathiram Post
Tenkasi District

... Respondents

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971 praying to punish the contemnors / respondents 2 & 4 for their willful and deliberate disobedience of the order of this Court, dated 18.12.2023, passed in W.P.(MD) No.26352 of 2023.



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For Petitioner : Mr.T.Lenin Kumar

For Respondents : Ms.D.Farjana Ghoushiya
Special Government Pleader

ORDER

[Order of the Court was made by RMT.TEEKAA RAMAN, J.]

By order dated 18.12.2023, this Court has passed the following order:

“2. As per the said letter, the building remains as an unauthorised construction. However, the Block Development Officer/fourth respondent has to ascertain the complete facts and submit a report to the District Collector/second respondent for initiating appropriate action, if any unauthorised constructions or encroachments are identified. The Block Development Officer and the District Collector are directed to complete the said exercise within a period of twelve (12) weeks from the date of receipt of a copy of this order. ”

2. Alleging non-compliance of the said order, the present contempt petition has been filed by the writ petitioner.



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3. Today, learned Special Government Pleader appearing for the respondents has produced a copy of the communication, dated 20.02.2024 addressed by the Block Development Officer, Keelapavur, Tenkasi District, to the District Collector, Tenkasi, stating that pursuant to the directions issued by this Court, the Block Development Officer has conducted a field inspection and found that 17 persons have put up unauthorized constructions and also found that the layout, in which they have put up constructions, is an unapproved layout and therefore, even though planning permits were given to them for construction of houses, since subsequently it was found that the layout is an unapproved layout, the planning permits have been cancelled and those persons have been informed to obtain approval for the layout and it has been informed to the District Collector as per the directions issued by this Court.

4. In view of the above, we are of the view that the substantial portion of the order, dated 18.12.2023, made in W.P.(MD) No.26352 of 2023, has been complied with by the respondents and therefore, we do not find any willful disobedience on the part of the respondents.



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5. Accordingly, this contempt petition is closed.

[T.K.R., J.] [L.V.G., J.]

09.01.2025

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

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To:

- 1.Mr.A.K.Kamal Kishore,
District Collector,
Tenkasi District,
Tenkasi.
- 2.Mr.Paulraj,
Block Development Officer,
Village Administrative Office,
Keelapavur, Pavurchathiram Post,
Tenkasi District.



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RMT.TEEKAA RAMAN, J.
AND
L.VICTORIA GOWRI, J.

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