



WEB COPY

CONT P No.3706 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

CORAM

**THE HONOURABLE MR JUSTICE P.VELMURUGAN
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

CONT P No.3706 of 2025

C.Sathish
Son of R.Chandrasekaran
No.18, First Street, Amman Nagar
Thirunindravur- 602 024
Thiruvallur District

Petitioner

Vs

1. Thiru.G.Prakash, I.A.S.,
The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Maaligai
Gandhi Irwin Road, Egmore
Chennai-600 008
2. Tmt.D.Sneha, I.A.S.,
The District Collector
Chengalpattu District
3. Mr.Venkatragavan
The Block Development Officer
St.Thomas Mount Panchayat Union
Having Office at Chitlapakkam
Chennai-600 064
Tambaram Taluk, Chengalpattu District
4. Rajendran,
The Tahsildar - Tambaram Taluk
Having Office at G.S.T Road, Kadaperi
Tambaram, Chennai-600 045

Contemnors



Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for wilful disobedience of the order of this Hon'ble Court made in W.P.No.16571 of 2025 dated 08.07.2024.

For Petitioner: Mr.M.Elumalai

For Contemnors: Mr.J.Ravindran
Additional Advocate General
assisted by Mrs.P.Veena Suresh
Standing Counsel for R1
Mr.R.Ramanlal
Additional Advocate General
assisted by Mr.M.Murali
Government Advocate
for R2 to R4

ORDER

(Order of the Court was made by P.Velmurugan J.)

Though this Court, while disposing of the writ petition by order dated 08.07.2025, considering the fact that the respondents have already initiated action to remove the encroachment in respect of Survey No.101/2, Kovilancherry Village, Tambaram Taluk, directed the respondents to conclude the proceedings in accordance with law, after issuing notice to the petitioner and other interested parties and affording them an opportunity of personal hearing, within the stipulated time of twelve weeks, alleging non-compliance of the said direction, the writ petitioner has filed the present contempt petition.

2. When the matter came up for hearing on 23.01.2026, this Court issued



statutory notice for the appearance of the respondents. Pursuant to the same, the respondents are present before the Court today. The learned Additional

Advocate General appearing on behalf of the first contemnor has submitted that the first contemnor has nothing to do with the order, since he is not the competent authority to take action against the encroachments and therefore cannot be hauled up for contempt.

3. The learned Additional Advocate General appearing on behalf of the contemnors 2 to 4, relying upon the status report, submitted that the authorities have already issued eviction notices under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 dated 22.01.2026 to the encroachers in a portion of the land in Survey No.101/2 earmarked as a road and thereby removed the encroachments on 13.02.2026, pursuant to the eviction orders under Section 6 dated 03.02.2026. He also submitted that necessary steps are being taken in coordination with the police authorities to conduct survey and ascertain the other encroachments made in Survey No.101/2 of Kovilancheri Village and further action will be taken for removal of the same in accordance with law at the earliest. Therefore, the learned Additional Advocate General submitted that the direction of this Court has been duly complied with.

4. The contention of the learned Additional Advocate General cannot be accepted by this Court at the contempt stage. A reading of the order shows that



all the respondents were parties to the writ proceedings and they were directed to comply with the direction within the stipulated time of twelve weeks. When the said order has not been challenged either by way of filing appeal or seeking for review, the contemnors cannot simply wash away their hands by stating that they have nothing to do with the order and try to escape from the clutches of law. When the Officers are public servants receiving monthly emoluments from the tax payers money, they cannot simply shirk their responsibility in matters like this, as they are accountable, more so when they were parties to the writ proceedings. Therefore, considering the facts and circumstances of the case, this Court exonerates the first and second contemnors from the contempt proceedings. However, this Court finds the third and fourth contemnors guilty of contempt under Section 12 of the Contempt of Courts Act, since they have failed to comply with the direction issued by this Court within the stipulated time of twelve weeks, and directs them to pay a sum of Rs.2,000/- each to the Tamil Nadu State Legal Services Authority, Chennai within a period of four weeks from today. Needless to state that in future, if any direction is issued or any order is passed against any officer to comply with the direction/order within a stipulated time, the concerned officer aggrieved with the direction/order has to challenge the same by way of filing appeal or seeking for review and he/she cannot simply keep quiet till the filing of the contempt petition and re-argue the matter on merits in the contempt proceedings.



5. With the above direction and observation, this contempt petition stands
ordered.

(P.VELMURUGAN J.) (M.JOTHIRAMAN J.)
20-02-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No

SS



To

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