



Cont P(MD)No.1287 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

Cont P(MD)No.1287 of 2021

in

W.P(MD)No.13303 of 2020

M.Ashokmani

... Petitioner /
Petitioner

Vs.

1.S.Visakan I.A.S.,
District Collector,
Dindigul District.

2.Kasi Selvi,
Revenue Divisional Officer,
Revenue Divisional Office,
Dindigul District.

3.Dhanushkodi,
Tahsildar,
Taluk Office,
Nilakottai,
Dindigul District.

4.R.Krishnan,
Block Development Officer,
Village Panchayat,
Nilakottai Panchayat Union,



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Nilakottai,
Dindigul District.

... Contemnors /
Respondents

Prayer: Contempt Petition filed under Section 11 of Contempts of Courts Act, 1971 to punish the contemnors for their willful and wanton disobedience to the order passed by this Court dated 18.02.2021 in W.P(MD)No.13303 of 2020 and direct them to obey the order passed by this Court.

For Petitioner : Mr.H.Thayumanaswamy

For Respondents : Mr.S.Vinodh
Government Advocate

ORDER

(Order of the Court was made by G.R.Swaminathan J.)

The petitioner filed W.P(MD)No.13303 of 2020 for removing the encroachment said to have been committed by one Anbilrajan in Survey Nos.595/3 and 595/54 (public pathway) at Kariyampatti. When the matter was taken up for hearing, the learned Government Advocate submitted that Thiru.Anbilrajan, the fifth respondent, had committed encroachment in Survey No.595/27. In that view of the matter, this Court vide order dated 18.02.2021 directed the authorities to remove the said encroachment committed by the fifth respondent. Contending that the said order has not been complied with, this contempt petition came to be filed.



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2. When the matter was taken up for hearing, the learned

Government Advocate produced all the relevant materials, including the extract from the revenue record. It is seen therefrom that Survey No. 595/27 is a patta land. It is well settled that the provisions of the Land Encroachment Act can be invoked only if encroachment has been committed on a public land. Therefore, the authorities lack the jurisdiction to evict the fifth respondent from Survey No. 595/27. Even the report of the Tahsildar addressed to the law officer is on the same lines. The petitioner's remedy lies elsewhere.

3. With the aforesaid liberty to the petitioner, this Contempt Petition is closed.

[G.R.S., J.] [R.P, J.]
22.04.2026

MGA

To

1. The District Collector,
Dindigul District.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Dindigul District.

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3.The Tahsildar,
Taluk Office,
Nilakottai,
Dindigul District.

4.The Block Development Officer,
Village Panchayat,
Nilakottai Panchayat Union,
Nilakottai,
Dindigul District.



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G.R.SWAMINATHAN, J.

AND

R.POORNIMA, J.

MGA

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