



Cont.P.1300 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 09.07.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

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J.Krishnakumar
S/o. Jaganannathan
124, Nehru Colony,
Mahalingapuram,
Pollachi – 642002.

Petitioner(s)

Vs

1. A.Thanamoorthy
The Commissioner,
Pollachi Municipality,
Palakkad Road,
Pollachi - 642 001.
2. Bharanidharan
The Divisional Engineer,
Highways Department,
Kovai Road,
Pollachi - 642 002.

Contemnor(s)

Prayer : Petition filed under Section 11 of the Contempt of Courts Act, 1971, seeking to punish the Respondents for willful disobedience Of the order dated 22.12.2021 passed in W.P.No.27279 of 2021.



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For Petitioner(s): Mr. Avinash Wadhwani
For Contemnor(s): Mr. P.V.Balasubramaniam
Additional Advocate General
Assisted by
Mr. B.Anand for R1
Mr. Mohammed Fayaz Ali
Government Pleader for R2

ORDER

(Order of the Court was made by
G.Arul Murugan,J)

The contempt petition is filed alleging disobedience of the order dated 22.12.2021 in W.P.No.27279 of 2021.

2. This Court has disposed of the writ petition with the following directions:

"3. In view of the above, the writ petition is disposed of with a direction to the second respondent to remove the encroachment on Palladam Road State Highway (19) and in Palakkad Road State Highway 78A, near Pollachi New Bus Stand, Pollachi, within a period of eight weeks from the date of receipt of a copy of this order, after affording a reasonable opportunity to all concerned and file a compliance report within two weeks



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thereafter before this court for the purpose of records. There will be no order as to costs. "

3. An Advocate Commissioner was appointed and in the presence of petitioner, the entire length of the Highways was inspected and report has been filed by the Advocate Commissioner. In the report, it is stated that the encroachments were identified and after removal of certain encroachments, there were remaining 29 encroachments that were to be evicted after demarcating the State Highway boundary by the Revenue Department. Paragraph 9 of the report filed by the Advocate Commissioner reads as under:

"9. The newly identified encroachments by the petitioner are 34 Nos., out of 34, 2 temporary encroachments are vested in Municipality land near Old Bus Stand, Pollachi. During the inspection on 14.11.2024, 1 encroachment in Palakkad Road (HAP shop), 2 encroachments in between Alagu Muthumariamman Temple and Retta Kan Paalam, are verified by the town surveyor and the same is not vested with State Highways land. Further, on 15.11.2024, during the inspection, one Aavin booth in Kottampatti has been evicted. The



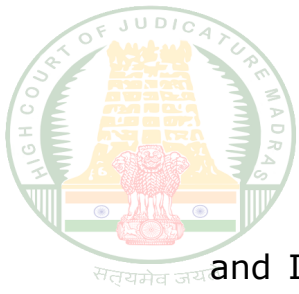
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Divisional Engineer states that the remaining 28 nos of encroachments will be evicted after the demarcation of State Highway boundary by the revenue department and also the Divisional Engineer states that in Palladam road, the newly identified structures are 30 kilometres away from Pollachi town and in Valparai road the newly identified structures are 25 kilometers away from Pollachi town and in Meenkarai road, it is 10 kilometeres away from Pollachi town which requires time for demarcation of State Highway boundaries, after the demarcation the said encroachments will be evicted."

4. After the inspection was carried out and reports were filed, the Highways Authorities have proceeded to remove the encroachments and filed the compliance report dated 10.10.2025 before this Court. As per the compliance report, out of 31 encroachments, 28 encroachments belongs to Highways Department, 1 belong to Pollachi Municipality and 2 belongs to Water Resource Department. Out of 28 encroachments in the Highways land, 27 encroachments have been completely removed



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and In respect of one encroachment, which is a statue of political leader, the same was also removed subsequently on 03.10.2025. Therefore, as per the compliance report, entire 28 encroachments have been removed.

5. As far as other 2 encroachments which belong to Water Resource Department and 1 encroachment which belongs to Pollachi Municipality are concerned, it is submitted that the land belongs to revenue authorities and it is for the revenue department to proceed further.

6. In the light of the detailed compliance report and in view of the fact that the encroachments from the Highways have been removed, this contempt petition is closed, by observing that respondents shall maintain the entire highway free from encroachment.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)

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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

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