

IN THE HIGH COURT OF JUDICATURE AT MADRAS

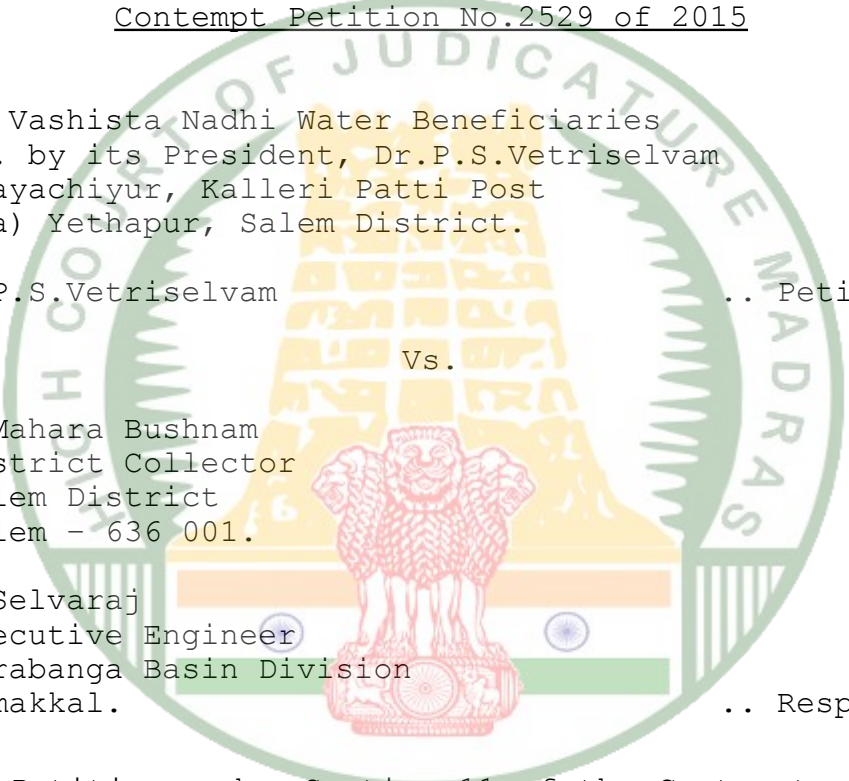
DATED : 09.02.2017

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE M.SUNDAR

Contempt Petition No.2529 of 2015

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1. The Vashista Nadhi Water Beneficiaries
rep. by its President, Dr.P.S.Vetriselvam
Padayachiyur, Kalleri Patti Post
(via) Yethapur, Salem District.
2. Dr.P.S.Vetriselvam ... Petitioners
- Vs.
1. K.Mahara Bushnam
District Collector
Salem District
Salem - 636 001.
2. R.Selvaraj
Executive Engineer
Sarabanga Basin Division
Namakkal. .. Respondents

PRAYER: Petition under Section 11 of the Contempt of Courts Act to punish the respondents for having committed contempt of court for disobeying the order dated 20.1.2004 made in W.A.No.1150 of 2003.

For Petitioners

: Mr.M.Vaidyanathan

For Respondents

: Mr.T.N.Rajagopalan
Spl. Government Pleader

ORDER

(Order of the Court was made by the *Hon'ble Chief Justice*)

The petitioners did not succeed before the learned Single Judge and even in appeal it was observed that the order of the learned Single Judge did not call for any interference. However, while observing so, certain directions were made. In that context, the submission of the counsel for the petitioners before us was recorded in paragraph (3) of the appeal order dated 20.1.2004 in W.A.No.1150 of 2003 of which contempt is alleged. The observations of the Court are to the effect that they would expect that the water management shall be done on a scientific basis under the supervision of a person who is an expert in the field. The relevant portion of the said judgment is extracted as under:

"3. We also expect that the water management shall be done on the scientific basis under the supervision of a person who is an expert in the field."

2. On hearing learned counsel for the petitioners, we cannot say that there is a willful disobedience of the orders of this Court because in the opinion of the petitioners this is not being done. In any case, it is the expectation/hope of the Court that this would happen.

(3)

approached the National Human Rights Commission, which passed certain directions, but since they were not implemented, a writ petition was filed for its implementation and the same is pending before this Court.

The contempt petition is disposed of accordingly.

SD/-
JOINT REGISTRAR(OS) I/C

sasi

//Certified to be true copy//

Dated at Madras this the day of 2017.

COURT OFFICER(O.S.)

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SM/CO/21/06/2017

To

1. K.Mahara Bushnam
District Collector
Salem District
Salem - 636 001.
2. R.Selvaraj
Executive Engineer
Sarabanga Basin Division
Namakkal.

one cc to the Govt.Pleader, High Court,sr.No.2189/17.