



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

CONT.P (MD)No.1237 of 2019

in

WP (MD)No.15526 of 2018

R.Sureshkumar

.. Petitioner/Petitioner

Vs.

Kannan,
The Tashildar,
Pabanasam Taluk,
Pabanasam,
Thanjavur District.

..Contemnor/4th Respondent

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act, 1971, praying to initiate contempt proceedings against Mr.Kannan, contemnor / respondent and punish him for his willful disobedience to the order of the Hon'ble High Court passed in W.P. (MD)No.15526 of 2018 on 25.10.2018.

Prayer in WP (MD). 15526/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents no.1 to 4 to remove the illegally laid sand road across the Naduvaikkal canal in Kambarnatham Village, Pabanasam Tk, Thanjavur Dt allegedly committed by 5th and 6th respondents and further repair and desilt it and ensure the free flow of water stream of Vadavaatru river through the Naduvaikal canal for irrigating the so many hectares of agricultural lands on the basis of my representation dated 07.07.2018

For Petitioner : Mr.T.Indrachithu

For Respondent : Mr.A.K.Baskara Pandian

Special Government Pleader

ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

This contempt petition has been filed alleging willful disobedience of the order of this Court dated 25.10.2018 in W.P. (MD) No.15526 of 2018.



2. According to the learned counsel for the petitioner, the Tahsildar Pabanasam Taluk, had conducted an enquiry, visited the spot, measured the area and also planted survey stones. But however, no further action has been taken to remove the encroachment, by which the size of water channel shrunk and the water gets diverted.

3. Since there was no time frame fixed for final action be taken in the writ petition, we propose to do so in this contempt petition. From what has stated before us, it appears that the Tahsildar has identified the encroachment. If that is so, it goes without saying that the Tahsildar should take further action, clear the encroachment and restore the channel to its original position. Accordingly, we direct the Tahsildar to do so, within a period of four weeks from the date of receipt of a copy of this order.

4. With the above direction, this contempt petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

To

The Tashildar,
Pabanasam Taluk,
Pabanasam,
Thanjavur District.

+1 CC to SPL GP (SR-87991[F] dated 19/09/2019)

ORDER MADE IN
CONT.P(MD)No.1237 of 2019
18.09.2019

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VB(22.10.2019) 2P 3C