



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :27.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE R. THARANI

Cont.P(MD)No.1943 of 2018

in

W.P. (MD)No.4153 of 2018

V.Murugesapillai

: Petitioner/Petitioner

Vs.

Vinston Lawrence,
Assistant Engineer,
Water Resources Organisation,
Public Works Department,
Irrigation Section,
Boothapandi,
Kanyakumari District.

: Contemnor/ 3rd Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the contemnor/3rd respondent for his willful disobedience of the order passed in W.P.(MD).No.4153 of 2018 dated 28.02.2018 on the file of this Court.

Prayer in WP(MD). 4153/ 2018 :

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, praying this Court to direct the Respondents 1 to 4 to remove the encroachments in the water course Therkumalai Kalvai comprised in R.S.No.212 of Aralvoimozhi South Village, Thovalai Taluk, Kanyakumari District pursuant to Form-1, Form-II, and Form-III issued under Tamil Nadu Protection of Tanks and Eviction of Encroachment Rules, 2007.

For Petitioner : Mr.C.T.Perumal

For Respondent : Mr.A.K.Manickam

Standing Counsel for Government

ORDER

(Order of the Court was made by **T.S.SIVAGNANAM, J.**)

This contempt petition has been filed alleging that there is a wilful disobedience of the order and direction passed in W.P.(MD). No.4153 of 2018 dated 28.02.2018

2.The learned counsel for the petitioner submitted that there are totally four encroachers of whom, three encroachers have been



removed and one person is still continuing. It is not known, whether the fourth encroacher has approached the Court and obtained any interim order.

3.We direct the respondent to take appropriate action against the remaining encroacher and proceed to evict the encroachment in accordance with law within a period of three weeks from the date of receipt a copy of this order.

4.With the above directions, this contempt petition is disposed of.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tta/rm

Note In view of the present lock down owing to COVID-19 : pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Assistant Engineer,
Water Resources Organisation,
Public Works Department,
Irrigation Section,
Boothapandi,
Kanyakumari District.

+1 CC to M/s.C.T.PERUMAL, Advocate (SR-24223[F] dated 28/07/2021)

Cont.P(MD)No.1943 of 2018
27.07.2021

SGS (CO)
LR (02.08.2021) 2P 3C