



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE S.ANANTHI**

Contempt Petition(MD)No.426 of 2022

V.Rajan

... Petitioner

vs.

1.Mr.Anbuselvan,
The Executive Engineer,
Public Works Department (WRD),
Gundaru River Basin, Pennycuick Campus,
Thallakulam, Madurai.

2.M.Ravikumar,
The Assistant Engineer,
Public Works Department (WRD),
Gundaru River Basin, Munsif Court Campus,
Madurai Road,
Thirumangalam.

3.Mr.Anantha Krishnan,
The Tahsildar,
The Tahsildar Office,
Thirumangalam.

... Respondents

Petitions filed under Section 11 of the Contempt of Courts Act, to issue a contempt notice to respondents and punish the respondents for non-compliance of the order within the stipulated time in pursuance of the order passed by this Court in W.P(MD)No.1912 of 2021 dated 16.07.2021.

For Petitioner	: Mr.S.Muthumalai Raja
For Respondents	: Mr.A.Kannan Additional Government Pleader

Prayer in WP(MD). 1912/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ order or direction more particularly in the nature of a writ of mandamus directing the respondents 1 to 4 herein to remove the encroachments made by the 5th respondent thereon in the Government water body area



Town survey No.87 situated at Thirumangalam Town, Madurai Distirct by considering the petitioner representations dated 26.05.2020 within the time stipulated by this Honble Court.

ORDER

R.SUBRAMANIAN, J.

AND

S.ANANTHI, J.

A direction was issued to the Executive Engineer, Public Works Department, Gundaru River Basin, Madurai, to remove the encroachment made by the respondents 5 and 6 in the writ petition, over the water body namely, Vadakarai Channel.

2. The respondents have filed a compliance report stating that the encroachment in the Vadakarai Channel has been removed after the same was identified by the Deputy Surveyor, Thirumangalam, with the help of the revenue department. A sketch as well as Form-I notice have been produced. We find that there has been a substantial compliance of the order passed by the Division Bench.

3. The learned counsel for the petitioner would however submit that there is some more encroachment which is also to be removed.

4. Mr.A.Kannan, learned Additional Government Pleader would submit that the land which has been encroached by the 5th respondent belongs to SIDCO and it is not a Government property.

5. Hence, this Contempt Petition is closed leaving it open to the petitioner to take appropriate proceedings for removal of the encroachment on the lands belonging to the SIDCO.

Sd/-

Assistant Registrar

/TRUE COPY/

/ /2022

Sub Assistant Registrar(CS)

To

1.The Executive Engineer,
Public Works Department (WRD),
Gundaru River Basin, Pennycuick Campus,
Thallakulam, Madurai.

2.The Assistant Engineer,
Public Works Department (WRD),
Gundaru River Basin, Munsif Court Campus,
Madurai Road,
Thirumangalam.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Tahsildar,
The Tahsildar Office,
Thrirumangalam.

+1 CC to M/s.SPL GP (SR-14945[F] dated 28/03/2022)

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ORDER MADE IN
Cont.P(MD)No.426 of 2022
DATED : 25.03.2022

MK/07.04.2022/3P/5C