



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Monday, the Fourth day of April Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice R.SUBRAMANIAN

AND

The Hon`ble Mrs.Justice R.THARANI

CONT P(MD). No.460 of 2022

A.Manimaran

... Petitioner/ Petitioner

Vs

1. Sivarasu I.A.S  
District Collector Trichy District.
2. Krishnasamy  
Superintending Engineer Department of  
Highways TVS Tollgate Trichy-20
- 3 Kesavan  
Divisional Engineer Department of Highways  
TVS Tollgate Trichy-20
- 4 Balasubramanian  
Assistant Divisional Engineer Department of  
Highways, Manakkal Road, Lalgudi Trichy.
- 5 Kaja Lakshmi  
Assistant Engineer Department of Highways  
Manachanallur Taluk Trichy District.
- 6 Sakthivel Murugan  
Tahsildar Manachanallur Post and Taluk  
Trichy District.

... Respondents/Contemnors

**Prayer :- CONT P(MD). No.460 of 2022**

Contempt petition filed under section 11 of Contempt of Court Act, 1971 to punish the respondents for non compliance of the order passed by this Honourable Court in W.P.(MD) No. 17196 of 2019 dated 27.09.2019 and pass such further or other orders as this Honourable Court may deem fit and proper in the nature and circumstances of this case and thus render justice.

**Prayer in WP(MD). 17196/ 2019 :**

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To direct the respondents

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



1 to 6 to remove the encroachment made by the respondents 7 and 8 in Manachanallur - Alagiyamanvalam - Theerampalayam main road (K.M 4/6) at once .

To

1 Krishnasamy

Superintending Engineer Department of  
Highways Tvs Tollgate Trichy-20 - ( Respondent - 2)

2 Kesavan

Divisional Engineer Department of Highways  
Tvs Tollgate Trichy-20 - ( Respondent - 3)

3 Balasubramanian

Assistant Divisional Engineer Department of  
Highways Manakkal Road Lalgudi Trichy.

- ( Respondent - 4)

Through

THE DISTRICT JUDGE, TRICHY

Whereas upon this day the Hon`ble Court while hearing the matter has passed an order as follows:

(Order of the Court was made by R.SUBRAMANIAN, J)

Heard the learned counsel for the petitioner.

2. It appears that the Assistant Divisional Engineer, Highways Department, Lalgudi, Trichy, is under the impression that the orders of this Court are meant to be flouted only.

3. Though the order of the Division Bench directing the removal of encroachment is dated 27.09.2019 and three months time was granted for such removal, despite the same having expired in December, 2019, no action was taken. This contempt petition was filed and Mr.D.Gandhiraj, learned Special Government Pleader took notice on 17.03.2022. Thereafter, as an eyewitness, the Assistant Divisional Engineer, Highways Department, Lalgudi, has chosen to issue notice to the alleged encroachers on 21.03.2022 for the first time. This by itself amounts to contempt. Therefore, we are convinced that the attempt is not to comply with the order, but to escape from the clutches of contempt.

4. The respondents 2, 3 and 4 are directed to be present in Court on 18.04.2022.

5. Post on 18.04.2022.



Whereas it is expedient in the interest of justice that the personal appearance of the aforesaid

- 1 Krishnasamy  
Superintending Engineer Department of  
Highways Tvs Tollgate Trichy-20 - ( Respondent - 2)
- 2 Kesavan  
Divisional Engineer Department of Highways  
Tvs Tollgate Trichy-20 - ( Respondent - 3)
- 3 Balasubramanian  
Assistant Divisional Engineer Department of  
Highways Manakkal Road Lalgudi Trichy.  
- ( Respondent - 4)

are necessary before the Madurai Bench of Madras High Court, Madurai at 10.30 A.M on Monday , the Eighteenth day of April Two Thousand and Twenty Two (18/04/2022)

In this connection you, namely

- 1 Krishnasamy  
Superintending Engineer Department of  
Highways Tvs Tollgate Trichy-20 - ( Respondent - 2)
- 2 Kesavan  
Divisional Engineer Department of Highways  
Tvs Tollgate Trichy-20 - ( Respondent - 3)
- 3 Balasubramanian  
Assistant Divisional Engineer Department of  
Highways Manakkal Road Lalgudi Trichy.  
- ( Respondent - 4)

be and hereby are directed to appear in person before the Madurai Bench of Madras High Court, Madurai at 10.30 a.m on 18/04/2022.

HEREIN FAIL NOT,

WITNESS The Hon`ble Mr. Justice MUNISHWAR NATH BHANDARI, The Chief Justice of the High Court of Judicature at Madras on Monday the fourth day of April Two Thousand and Twenty Two ( 04/04/2022).



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**CONT P(MD). No.460 of 2022**

ORDER DATED : 04/04/2022  
HEARING DATE : 18/04/2022

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SUMMONS

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CONT P (MD) . No.460 of 2022

RK (08/04/2022) 4P 5C