



Cont.P(MD)No.128 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 20.12.2022

CORAM

**THE HON'BLE DR JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR JUSTICE G.R.SWAMINATHAN**

Cont.P(MD)No.128 of 2019
in
W.P(MD)No.5361 of 2012

A.Vins Anto

.. Petitioner/Petitioner

Vs.

1.K.Jeyamalini,
The Executive Officer,
Neyyoor Town Panahcyat,
Neyyoor Post,
Kanyakumari District.

.. Contemnor/6th Respondent

2.The Executive Engineer,
Kodayar Basin Irrigation System,
Public Works Department,
Nagercoil.
(R2 suo motu impleaded vide order
dated 26.02.2019)

Contempt Petition filed under Section 11 of the Contempt of Courts Act, praying this Court, to punish the contemnor/6th respondent for her willful disobedience to the order passed in W.P(MD)No.5361 of 2012 dated 18.07.2017, on the file of this Court.



Cont.P(MD)No.128 of 2019

For Appellant :Mr.C.T.Perumal

For Respondents :Mr.D.Sasikumar
Additional Public Prosecutor

ORDER

DR. G.JAYACHANDRAN,J.
and
G.R.SWAMINATHAN,J.

The learned Additional Government Pleader appearing for the respondents filed a status report along with photographs indicating that the encroachment in the canal located in Survey No.219/1,2,14 will be removed, particularly, the petitioner alleged that in S.No.219/1, the land owner has put up steps abutting the canal and the said steps being removed on 10.12.2022.

2.However, the learned counsel for the petitioner submits that only a portion of the encroachment is being removed and still, there are encroachments, reducing the width of the canal. But, the photographs produced by the learned Additional Government Pleader indicates that a concrete cement canal has been laid by the local body and we are unable to see any encroachment.



Cont.P(MD)No.128 of 2019

3.If the width of the canal has been reduced by laying a concrete cement, it is open to the petitioner to submit a representation to the authorities with appropriate document, which will reflect the original width of the canal to enable the authorities to identify the encroachers and remove the same in accordance with law.

4.With this liberty, this Contempt Petition is closed.

(G.J.,J.) (G.R.S.,J.)
20.12.2022

Index: Yes/No

Internet: Yes/No

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To

1.The Executive Officer,
Neyyoor Town Panahcyat,
Neyyoor Post,
Kanyakumari District.

2.The Executive Engineer,
Kodayar Basin Irrigation System,
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