



Cont.P.No.1646 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

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A.K.Celli Gounder

.. Petitioner

VS

1. Rajagopal Sunkara
The District Collector
District Collector's Office
Erode.
2. Divya Priyadarshini
The Revenue Divisional Officer
Revenue Divisional Office
Gobichettipalayam, Erode District.
3. Sankar Ganesh
The Tahsildar, Taluk Office
Sathyamangalam
Erode District.
4. Kumar
The Assistant Engineer
Water Resource Department
Irrigation Division
Coimbatore Main Road
Sathyamangalam – 1.
5. Anandaraj
The Assistant Executive Engineer
Department of Water Sources
Canal Sub Division, Modachur Road
Gobichettipalayam – 638 476.

.. Respondents



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Prayer : Contempt Petition under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents 1 to 5 in accordance with law for the non-compliance of the order passed in W.P.No.32965 of 2022 dated 08.12.2022.

For Petitioner : Mr.S.Parthasarathy

For Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by Mrs.R.Anitha
Special Government Pleader

ORDER

(Delivered by the Hon'ble Chief Justice)

We heard Mr.S.Parthasarathy, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader assisted by Mrs.R.Anitha, Special Government Pleader for the respondents.

2. The contempt is alleged of the orders passed by this Court on 08.12.2022. Learned counsel for the petitioner submits that learned Additional Advocate General has made submissions that within 6 weeks, the encroachments would be removed. Relying upon the said statement, directions were issued by this Court. The same has not been complied with.



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3. Learned State Government Pleader submits that the survey was conducted on 10.03.2023. The encroachment was planned to be removed on 13.04.2023 at 10.00am. Machineries were also brought, but the encroachers crowd was large and the security arrangements were not sufficient. The situation was discussed and it was decided to postpone the action of the removal of encroachment.

4. The encroacher filed a civil suit in O.S.No.47 of 2023, challenging the survey. Summons were issued.

5. Learned State Government Pleader submits that if the Civil Court does not grant stay, then the encroachments would be removed on 11.08.2023.

6. In view of the said statement, the contempt petition stands disposed of. There will be no order as to costs.

(S.V.G., C.J.)

(P.D.A., J.)

21.07.2023

Index : Yes/No

Internet : Yes/No

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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKEVALU, J.

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