



Cont.P(MD)No.1090 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2023

CORAM:

THE HONOURABLE **MR.JUSTICE S.S.SUNDAR**
and
THE HONOURABLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

Cont.P(MD)No.1090 of 2021
in
W.P(MD)No.10599 of 2021

V.Alagusundaresa Perumal

... Petitioner/Petitioner

Vs.

Mr.Ilamurugan,
The Thasildar,
Melur Taluk,
Madurai District.

... Contemnor/2nd Respondent

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the contemnor for the contempt committed by him, by willful disobedience of the direction given in the order dated 25.06.2021 by the Hon'ble High Court of Madras, Madurai Bench in W.P(MD)No.10599 of 2021.

For Petitioner	:Mr.J.Gunaseelanmuthiah
For Respondent	:Mr.J.K.Jeyaseelan, Government Advocate



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ORDER

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

Alleging willful disobedience of the order of this Court made in W.P(MD)No.10599 of 2021, dated 25.06.2021, the petitioner has filed this contempt petition.

2. The petitioner has filed the writ petition in W.P(MD)No.10599 of 2021, seeking for issuance of the a Writ of Mandamus, to remove the encroachment in a water body, namely, Maarani Kanmai in S.Nos.358 and 361 at A.Vallalapatti Village, Melur Taluk, Madurai District. This Court had disposed of the said writ petition with a direction to the official respondents to initiate action by issuing notice to the private respondents in the writ petition.

3. When the contempt petition is taken up for hearing today, a counter affidavit is filed by the respondent/contemnor specifically referring to the fact that since the encroachment is in a water body, the encroachment can be removed only by the competent authority under the provisions of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007. Therefore, the encroachment



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have been removed by the competent authority, namely, the Assistant Engineer, PWD/NRD and the order of this Court had been complied with.

4. Recording the statement of the respondent, reporting compliance of the order of this Court, this Contempt Petition is closed.

[S.S.S.R., J.] [D.B.C., J.]
25.08.2023

Index : Yes / No
NCC : Yes/No

pm

To

The Thasildar,
Melur Taluk,
Madurai District.



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S.S.SUNDAR, J.

and

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