



Cont.P(MD)No.2103 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Cont.P(MD)No.2103 of 2023

in

W.P(MD)No.16267 of 2023

N.Viralimaya Thevar

... Petitioner /
Petitioner

Vs.

1.M.N.Poongodi,
District Collector,
District Collector Office,
Dindigul District.

2.Thanikodi,
Tahsildar,
Nilakottai Taluk,
Dindigul District.

... Respondents 1 & 2/
Contemnors

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act,
to initiate Contempt proceedings against the respondents 1 and 2/



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Contemnors and punish them for the willful disobedience of the order of this Court in W.P(MD)No.16267 of 2023 ordered on 07.09.2023.

For Petitioner : Ms.B.Bhuvaneshvari
for Mr.A.Ganesan

For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

After hearing both sides, we are satisfied that the respondents have not committed any contempt. The photographs produced before us do not point to the existence of any encroachment also. The grievance of the petitioner is that the private respondent in the writ petition has blocked the Nilaviyal Odai. If that be so, it is open to the petitioner to submit a formal complaint before the Tahsildar, Nilakottai Taluk. The revenue authorities may permit the petitioner to undertake the following works:

- a) Clear the bushes in the Nilaviyal Odai
- b) Remove any blockage
- c) Deepen the Odai to the extent permitted by the revenue authority.



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The petitioner cannot over reach or go beyond the instructions that may be issued by the Tahsildar, Nilakottai Taluk.

2. We make it clear that Nilaviyal Odai is meant for free flow of water alone. Neither the petitioner nor any other villager can be allowed to use it as a pathway. Even the works that we have permitted as a special case can only be a one time act.

3. This contempt petition is closed with the aforesaid direction.

[G.R.S., J.] [B.P., J.]
31.10.2023

Index : Yes / No
Internet : Yes/ No
NCC : Yes / No
MGA

To

1.The District Collector,
District Collector Office,
Dindigul District.

2.The Tahsildar,
Nilakottai Taluk,
Dindigul District.

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