



Contempt Petition Nos.3069 and 3072 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2024

CORAM :

THE HONOURABLE MR. R. MAHADEVAN, ACTING CHIEF JUSTICE

Contempt Petition Nos.3069 and 3072 of 2023

K.Balaji	...	Petitioner in
		Contempt Petition No.3069 of 2023
P.Venkatesalu	...	Petitioner in
		Contempt Petition No.3072 of 2023

Vs.

Mr.C.Podhupanithilagam, Executive Engineer, Public Water Department (PWD), Kosathalaiyar River Division, Tiruvallur District, Tiruvallur.	...	Respondent in both contempt petitions
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Petitions filed under Section 11 of the Contempt of Court Act, 1971, to punish the respondent for wilful disobedience of the order made in W.P.Nos.22520 of 2018 & 22519 of 2018, dated 18.09.2018.

For petitioner in both contempt petitions	:	Mr.V.Surya Sankar For Mr.R.Munuswamy
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For respondent in both contempt petitions	:	Mr.Karthik Jagannath Government Advocate
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COMMON ORDER

The petitioners have come up with these contempt petitions for the alleged disobedience of the order of this Court dated 18.09.2018 passed in W.P.Nos.22520 & 22519 of 2018.

2. When the Contempt Petitions were taken up for consideration, the learned Government Advocate produced a copy of the proceedings of the respondent dated 10.06.2024, wherein, it is *inter alia* stated as follows:

"Now, on considering your representation dated 23.01.2018, it is observed that, the statement quoted by you that the erosion in your land has occurred due to the negligence of the Water Resources Department is not agreeable, as the damage occurred is due to rain water stagnation in the agricultural land and surrounding areas. The stagnated flood water had found its way to runoff into the river due to water pressure and gravity.

The damage has not occurred due to the breach of Kosasthalaiyar River bund and the flood water from the river did not make any damages to the adjacent lands, since the Level of the river bed is lower than the adjacent land. The stagnated rain water in the adjacent fields had found its way to drain out into the river. The incident that has occurred is a natural phenomenon and is not because of the Water Resources Department and hence your request to fill the eroded portion of your patta land cannot be carried out by this department. Moreover, the Government will not allot fund to carry out works in any private land.

Meanwhile, the Water Resources Department is considering on strengthening the damaged bund of Kosasthalaiyar River under major scheme works. For this work, studies are being carried out by the Chennai Rivers Restoration Trust (CRRT) for Eco Restoration of Kosasthalaiyar River."

Placing reliance on the same, the learned Government Advocate submitted that the order of this Court dated 18.09.2018 has been complied with.



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3. In reply, the learned counsel for the petitioners submitted that the petitioners may be permitted to approach the competent civil Court for redressal of their grievances, in the manner known to law.

4. Granting such liberty to the petitioners, these contempt petitions stand closed.

28.06.2024

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Index: Yes / No.

Speaking order/ Non-speaking order

Neutral Citation: Yes / No.



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