



SUB A(MD). No.353 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Friday, the Twenty Ninth day of November Two Thousand and Twenty Four

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

SUB A(MD). No.353 of 2024

in

CONT.P.(MD).No.2182 of 2024

Thanganallukoothan

...Appellant/ Petitioner

Vs

- 1 S.K.Prabakar, IAS.,
The Additional Chief Secretary,
Revenue and Disaster Management,
Secretariat, Chennai.
- 2 M.Aruna, I.A.S.,
The District Collector,
Pudukkottai District, Pudukkottai.
- 3 Ramya Devi
The District Revenue Officer,
The District Revenue Office,
Pudukkottai District.
- 4 R.S.Kumaravelan,
The Block Development Officer,
Aranthangai, Pudukkottai District.



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5 Shivy Murthy

The Territory Manager

Indian Oil Corporation Limited,

Divisional Office, 3rd Shesathri Road,

Thillai Nagar, Trichy & District.

... Respondents/Contemnors

Prayer in SUB A(MD). No.353/2024 :

Petition filed under Section 151 of C.P.C., Praying this Court to pass an order of appointing an advocate commissioner to inspect the lands as well as the retail outlet in S.F.No.62/2A4, situated Ettiyathali village, Aranthangi Taluk, Pudukottai District and note down the physical features as on date more particularly the service road and the water channel culvert if any therein along with help of qualified surveyor and file a comprehensive report to this Honourable Court along with sketch/ plan and relevant photos pending disposal of the above contempt pass such other or further orders as this Honourable Court.

Prayer in CONT P(MD). 2182/ 2024 :

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents 1 to 5/contemnors for willful disobedience to the orders of this Honourable Court dated 21.09.2023 in WP(MD). No.11089 of 2021 and punish respondents for contempt and pass such further or other orders as this Hon'ble Court.

ORDER:-

This Application on coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Thiru.V.R.Shanmuganthan, Advocate for the Applicant and of Thiru.C.Satheesh, Government Advocate for the 1 to 4th respondents and Thiru.M.Mohaboob Athif, Standing Counsel for the 5th Respondent, this Court made the following order:



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“Considering the facts and circumstances of the case, this Sub Application is allowed.

2. Therefore, this Court appoints Advocate Commissioner, namely; M/s.S.Stevenson, Ms. No. 7608 of 2023, 35A, Manmalaimedu 2nd Street, K. Pudur, Madurai - 7, Mobile No.7667327557. The Advocate Commissioner is directed to inspect the spot and report Whether the கல்வெட்டு is in existence? and Whether there is impediment in free flow of water? The Advocate Commissioner is further directed to issue notice to all the parties and thereafter inspect the spot in the presence of both the parties and their respective Counsels and submit a report before this Court on or before **17.12.2024**. The Sub Applicant shall pay a sum of Rs.30,000/-as remuneration for the Advocate Commissioner.

3. Post the matter on 17.12.2024,for filing report.”

Sd/-

Assistant Registrar(C.O)

// True Copy //

/12/2024

Sub Assistant Registrar
(CS- I/ II / III / IV)



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TO
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- 1 S.K.Prabakar, I.A.S.,
The Additional Chief Secretary,
Revenue and Disaster Management,
Secretariat, Chennai.
- 2 M.Aruna, I.A.S.,
The District Collector,
Pudukkottai District, Pudukkottai.
- 3 Ramya Devi
The District Revenue Officer,
The District Revenue Office,
Pudukkottai District.
- 4 R.S.Kumaravelan,
The Block Development Officer,
Aranthangai, Pudukkottai District.
- 5 Shivy Murthy
The Territory Manager
Indian Oil Corporation Limited,
Divisional Office, 3rd Shesathri Road,
Thillai Nagar, Trichy & District.
- 6 The Additional Government Pleader,
Madurai Bench of Madras High Court, Madurai
- 7 M/s. S.STEVENSON, Ms.No.7608/2023,
35A, MANMALAIMEDU 2nd STREET,
K.PUDUR, MADURAI-7, MOBILE No.7667327557.

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai

<https://www.mhc.tn.gov.in/judis>



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ORDER DATED : 29/11/2024

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ORDER

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SUB A(MD). No.353 of 2024
Giving direction and etc.
as stated within.

KVL(10/12/2024) 5P 9C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023