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Cont.P.No.1938 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2025

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Contempt Petition No.1938 of 2025

K.Saraswathy

.. Petitioner

v.

Mr.Pavankumar G.Giriyappanavar
The District Collector
Coimbatore District
Coimbatore

.. Respondent

Petition filed under Section 11 of the Contempt of Courts Act, 1971
praying to punish the respondent for wilful disobedience of the order dated
13.03.2025 made in W.P.No.7629 of 2025.

For Petitioner :: Mr.G.Krishna Kumar

For Respondent :: Mr.R.Murthi
Government Advocate

ORDER

When the matter was taken up for hearing today, the written
instructions given by the District Collector, Coimbatore were placed before



this Court. The relevant portions are extracted hereunder:-

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“The status of land position is furnished as below:

- 1) An extent of 0.418 Acres in S.F.No.329/1 belongs to Tmt. K.Saraswathy has been proposed to acquire for this project. The land is not taken possession by TNGECL till date. The land is under the possession of land owner only.
- 2) The petitioner's land is situated downstream of Barrage. Hence, the petitioner land is not submerged.
- 3) Water storage at Barrage is being kept 2 m below the Full Reservoir Level (FRL 308.25 m). While operating the machines at a water level of 306.25 meters, no erosion is occurring on the petitioner's land.
- 4) During the rainy season, when the spillway gates of the Pillur Dam are opened, the barrage gates are also opened to release floodwater. At that time, a significantly larger volume of floodwater flows into the river, resulting in soil erosion along both banks. Consequently, the petitioner's land may also be subject to erosion.



WEB COPY



Cont.P.No.1938 of 2025

5) During the execution of project works in May 2013, a protective wall measuring 40 meters was proposed downstream from the barrage, located on the Patta land of Survey Numbers 325, 327 and 329/1 on the left bank of the river. The construction commenced, at 11.5 meters were completed in Survey Numbers 325 and 327, leaving a remaining length of 28.5 meters yet to be constructed. The petitioner, who owns Survey Number 329/1, objected to the construction of the retaining wall on her land. As a result, the remaining 28.5 meters of the retaining wall were not built.

6) Administrative Sanction was accorded for acquisition of 15.00.44 Hec patta lands and alienation of 04.33.95 Hec peramboke lands vide G.O.(Ms).No.11 Energy (B1) department dated:20.02.2025.

For acquisition of lands through private negotiation under the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, notices under Sections 3(2) and 3(1) are mandatorily required to be published in accordance with the provisions of the Act.



WEB COPY



Cont.P.No.1938 of 2025

Further, after approval of valuation of the lands, trees and other structures by the Land Acquisition Authorities, the enquiry u/s 7(2) shall be conducted and the consent of the land owners need to be obtained during the meeting. All such consented cases to be referred to the District Level Private Negotiation Committee / State Level Private Negotiation Committee as the case may be to determine the compensation in accordance with the guidelines issued vide G.O.(Ms).No.411, Revenue and Disaster Management Department, dated: 06.08.2020. Thereafter necessary orders /proceedings on determination of final compensation has to be issued by the District Collector in case of District Level Private Negotiation Committee / Commissioner of Land Administration in case of State Level Private Negotiation Committee /Government in case of flat rates, and the Land Acquisition Officer shall issue a separate award for such consented cases u/s 7(2) of the Act with proper apportionment of compensation amount to the land owners based on the verification of legal documents.

In this regard, Administrative Sanction was issued on 20.02.2025 for the acquisition of 15.00.44 Hec patta



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Cont.P.No.1938 of 2025

lands and alienation of 04.33.95 Hec poramboke lands vide G.O.(Ms).No.11 Energy (B1) Department dated: 20.02.2025. Further, an extent of 0.16.92 Hec in S.F.No.329/1 belonging to Tmt. K.Saraswathy and minor Mohan Kumar has been proposed for acquisition for the establishment of Bhavani Barrage - I in Nellithurai Village of Mettupalayam Taluk after following the due procedures prescribed above under Tamil Nadu Acquisition of Land for Industrial purposes Act, 1997. The land is not taken possession by the requisition agency TNGECL till date. The land is under the possession of land owner only.

The land acquisition process under Tamil Nadu Acquisition of Land for Industrial purposes Act, 1997 may require minimum 6 months time to complete the entire process. Hence, I request 6 months time shall be granted to redress the petitioner's prayer.”

2. It is clear from the above that already steps have been taken to acquire the land belonging to the petitioner and in order to complete this process, the respondent is seeking for six months time.



Cont.P.No.1938 of 2025

3. Recording the above development, this contempt petition is closed

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Index : yes/no

Neutral citation : yes/no

18.07.2025

Issue copy of the order next week

SS

To

1. The District Collector
Coimbatore District
Coimbatore



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Cont.P.No.1938 of 2025

N.ANAND VENKATESH,J.

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Cont.P.No.1938 of 2025

18.07.2025