



WEB COPY



Cont.P.No.2609 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2025

CORAM

THE HONOURABLE MR. JUSTICE S. M. SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE K. RAJASEKAR

Contempt Petition No.2609 of 2024

in

Writ Petition No.18877 of 2020

1.S.Sunitha

2. Kokila

... Petitioners

Vs.

1.Mrs.Anusuya Devi,
The District Revenue Officer,
Collector Office,
Chennai.

2.The Managing Director,
Tamil Nadu Urban Habitant Development Board,
No.05, Kamarajar Salai,
Chepauk, Chennai 05.

[suo motu impleaded as 2nd respondent as per the
order of this Court, dated 10.02.2025]

3.The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai – 600 003.



Cont.P.No.2609 of 2024

[suo motu impleaded as 3rd respondent as per
the order of this Court dated 24.02.2025]

... Respondents

WEB COPY

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to initiate contempt proceedings as against the respondents for having disobeyed the order passed by this Court in W.P.No.18877 of 2020 dated 14.02.2024.

For Petitioner : Mr.D.Rajagopal

For R1 : Mr.A.Selvendran
Special Government Pleader

For R2 : Mr.B.Balaji
For Mr.S.Karthikeyan,
Standing Counsel for TNUHDB

For R3 : Mr.G.T.Subramanian, Standing Counsel
for Greater Chennai Corporation

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The contempt petition has been instituted to punish the respondents for their willful disobedience of the order of this Court dated 14.02.2024 in W.P.No.18877 of 2020.

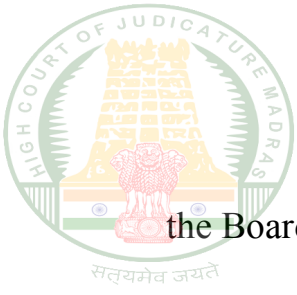


WEB COPY

2. This Court directed the respondents to evict the encroachers in the water body by following the procedures as contemplated under the Statute and Rules. In the writ order, the Revenue Authorities have stated that the encroachments are in the lake namely “Moonadi Eri” in Survey Nos.108/1, 108/2 and 108/3. As per the revenue records, it is a lake and therefore, direction was issued to evict the encroachers.

3. When the contempt application is moved, it is brought to the notice of this Court that a portion of the land has been already handed over to Tamil Nadu Urban Habitant Development Board, who in turn, developed the project and granted allotment to some landless poor people. Thus, the Tamil Nadu Urban Habitant Development Board has been *suo motu* impleaded as the respondent in the present case, who in turn, filed a status report.

4. The status report reveals that the scheme was implemented in respect of the land covering T.S.No.108/1 and T.S.No.108/2. As far as T.S.No.108/3 is concerned, the land is not vested with the Tamil Nadu Urban Habitant Development Board and outside the scheme boundary and



Cont.P.No.2609 of 2024

the Board has not implemented any scheme in the said area.

WEB COPY

5. The learned Government Pleader would submit that 175 encroachers are already identified and actions are initiated.

6. In view of the said report, the Revenue Authorities along with the Corporation Officials are directed to remove the encroachers from the water body, as per the order passed by this Court in W.P.No.18877 of 2020. In respect of the encroachers, if they are landless poor people and falling within the eligibility criteria fixed by the Tamil Nadu Urban Habitant Development Board and in the event of submitting an application by the eligible persons, the same is directed to be considered and eligible landless poor peoples may be provided an alternate tenement in any one of the schemes implemented by the Tamil Nadu Urban Habitant Development Board. It is needless to state that the allottee has to pay the necessary charges as fixed by the Board. It is made clear that after removing all the encroachments from the water body, the Revenue Authorities shall protect the same by fencing and initiate all protective measures to ensure that no



Cont.P.No.2609 of 2024

further encroachments are made and maintain it as a water body. The

Revenue Authorities and Corporation Authorities are at liberty to seek police assistance for removal of encroachments.

7. The contempt petition stands closed. Post the matter under the caption “for reporting compliance” before this Bench, after eight weeks.

[S.M.S,J.] [K.R.S,J.]
24.03.2025

ssi

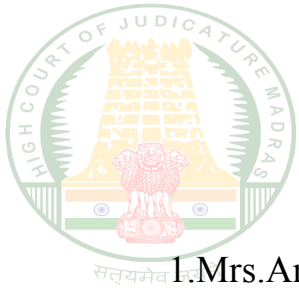
Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

To

5/7



Cont.P.No.2609 of 2024

1. Mrs. Anusuya Devi,
The District Revenue Officer,
Collector Office,
Chennai.

2. The Managing Director,
Tamil Nadu Urban Habitant Development Board,
No.05, Kamarajar Salai,
Chepauk, Chennai 05.

[suo motu impleaded as 2nd respondent as per the
order of this Court, dated 10.02.2025]

3. The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai – 600 003.

[suo motu impleaded as 3rd respondent as per
the order of this Court dated 24.02.2025]

S. M. SUBRAMANIAM,J.



WEB COPY



Cont.P.No.2609 of 2024

AND
K. RAJASEKAR,J.

ssi

Cont.P.No.2609 of 2024

24.03.2025