

Cont.P.(MD)No.384 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.03.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Cont. P(MD)No.384 of 2025

in

W.P.(MD)No.25381 of 2022

1.A.Wins Anto

2.V.Murugesapillai

... Petitioners / Petitioners

Vs.

1.R.Alagumeena
The District Collector,
Kanyakumari District,
Nagercoil.

2.Arulson Bright,
The Executive Engineer,
Kothaiyar Irrigation Division,
Water Resources Department,
Nagercoil.

... Contemnors / Respondents 1 & 2

3.Dwaraganath Singh,
The Assistant Director of Town Panchayats,
Collectorate Campus,
Nagercoil.



Cont.P.(MD)No.384 of 2025

4.Rajesh Iyyanar Murugan,
The Executive Officer,
Marungoor Town Panchayat,
Marungoor,
Kanyakumari District.

... Contemnors / third parties

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the contemnors 1 to 4 for their willful disobedience of the order in W.P.(MD)No.25381 of 2022, dated 22.08.2023 on the file of this Court.

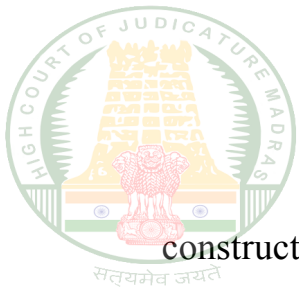
For Petitioner :Mr.C.T.Perumal

For Respondents :Mr.Veerakathiravan
Additional Advocate General
assisted by
Mr.K.Balasubramani
Special Government Pleader

ORDER

Since the undertaking given before this Court was breached, the present contempt petition came to be filed.

2. We issued statutory notice. The District Collector, Kanyakumari District appeared in person. She categorically informed this Court that the local body may be allowed to complete the construction of the water tank alone. Since it is for a public purpose, considering the special facts and circumstances obtaining in this case, we permit the local body to complete the said



Cont.P.(MD)No.384 of 2025

construction. We give such permission because the learned Additional

Advocate General informs the Court that it is only a pillar based construction and that the water storage capacity will not be affected. We also take note of the fact that there appears to be no other alternate land available for putting up the water tank. As regards the other construction activities that had partly commenced, they shall completely be removed and the original position shall be restored within a period of two months from the date of receipt of a copy of this order. It is further undertaken by the District Collector that the undertaking earlier given before this Court will be adhered to in letter and spirit. The contempt petition is disposed of accordingly. No costs.

[G.R.S., J.] [B.P., J.]
18.03.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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To

- 1.The District Collector,
Kanyakumari District,
Nagercoil.
- 2.The Executive Engineer,
Kothaiyar Irrigation Division,
Water Resources Department,
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and

B.PUGALENDHI, J.

rmi

3.The Assistant Director of Town Panchayats,
Collectorate Campus,
Nagercoil.

4.The Executive Officer,
Marungoor Town Panchayat,
Marungoor,
Kanyakumari District.

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