



SUB A(MD). No.158 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
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Thursday, the Twenty Fourth day of April Two Thousand Twenty Five

PRESENT

The HONOURABLE MR. JUSTICE G.R.SWAMINATHAN
AND
The HONOURABLE MR. JUSTICE B.PUGALENDHI

SUB A(MD). No.158 of 2025
in
CONT.P(MD)No.426 of 2025
in
W.P(MD).No.8837/2024

1. M.S.Sangeetha, I.A.S.,
The District Collector/Chairperson
Monitoring Committee
Madurai District, Madurai.

2. SHALINI
The Revenue Divisional Officer,
Madurai District.

3. RAMACHANDRAN
The Tahsildar, Vadipatti Taluk,
Madurai District.

4. KALAISELVI
The Block Development Officer,
Village Panchayat, Alanganallur Union,
Madurai District.

... Petitioners/Contemnor 1 to 4

Vs

1 P.Anbalagan

...1st Respondent/Petitioner



SUB A(MD). No.158 of 2025

2 Vijayalakshmi
The President
Paripatti Village Panchayat
Madurai District.

... 2nd Respondent/5th Contemnor

Prayer in Sub.Appln.(MD)158 of 2025:-Petition filed under 151 of C.P.C., Praying this Court To Appoint an Advocate Commissioner to inspect and report the presence of trees in S.No.176A, Saranthangi Village, Vadipatti Taluk, Madurai District and to find encroachments if any and thus render justice.

Prayer in Cont.P(MD)426 of 2025:- Contempt Petition filed under Section 11 Contempt of Court Act, to take the above contempt petition to file and issue summons to the respondents herein and deal with them in accordance with law for their willful disobedience of the order in W.P.(MD).,No.8837 of 2024 dated 05-11-2024.

Prayer in WP(MD)8837 of 2024:-Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to restore the Periya Odai in Survey No.176 A which consists of 40 feet wide and 600 feet length to its original position and consequently direct the respondents not to divert the water flow to the small stream based on the petitioners representation dated 21.02.2024.



SUB A(MD). No.158 of 2025

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ORDER:-

This Sub Application 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 Mr.Veera Kathiravan, Additional Advocate General assisted by Mr.K.Balasubramani, Spl.Government Pleader, the Petitioners and of Mr.C.Vakeeswaran, Advocate for the first respondent, this Court made the following order:-

The writ petitioner obtained order on 05.11.2024 in W.P(MD)No.8837 of 2024 to the effect that Survey No.176A, Saranthangi Village measuring 69 ares has been classified as “Odai” should not be altered.

2.The learned counsel appearing for the writ petitioner asserts that red sand was dumped on this water body and road was attempted to be formed. His grievance is that as on date, red sand originally dumped has not been removed. This assertion strongly controverted by the authorities. The authorities have filed this Sub Application. It is allowed.

3.Mr.Sureshkumar, Advocate (Enrollment No.2191/2011, 37, Law Chamber, Madurai Bench of Madras High Court, Madurai, Cell No: 9715866671) is appointed as an Advocate Commissioner to verify if the order dated 05.11.2024 has been



SUB A(MD). No.158 of 2025

complied with in letter and spirit. Remuneration of the Advocate Commissioner is
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fixed at Rs.15,000/-.

4.Registry is directed to issue warrant on 30.04.2025. Call this case on
10.06.2025.

Sd/-

ASSISTANT REGISTRAR (CS-II)

// True Copy //

30/04/2025

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

To

- 1.The District Collector/Chairperson
Monitoring Committee
Madurai District, Madurai.
- 2.The Revenue Divisional Officer,
Madurai District.
- 3.The Tahsildar, Vadipatti Taluk,
Madurai District.
- 4.The Block Development Officer,
Village Panchayat, Alanganallur Union,
Madurai District.



SUB A(MD). No.158 of 2025

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Copy to:-

Mr.Suresh Kumar,
Advocate (Enrollment No.2191/2011)
No.37, Law Chamber,
Madurai Bench of Madras High Court,
Madurai.

+ADVOCATE COMMISSIONER

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ORDER

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SUB A(MD)No.158 of 2025

in

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in

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AS - (30.04.2025) 5P/ 6C

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