

Cont.P.(MD)No.2086 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 14.08.2025

CORAM

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

Cont. P(MD)No.2086 of 2025

in

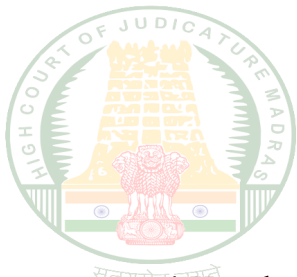
W.P.(MD)No.13339 of 2021

Satheesh Kumar

... Petitioner / Writ Petitioner

Vs.

1. Vasanthi,
The Executive Engineer,
Water Resources Organization,
Public Works Department,
Kanyakumari District.
2. Ajish,
The Assistant Executive Engineer,
Water Resources Organization,
Public Work Department,
Boothapondy,
Kanyakumari District.
3. Kingsly,
The Assistant Executive Engineer,
Water Resources Organization,
Public Works Department,
Palayuru Sub Division,
Kanyakumari District.



Cont.P.(MD)No.2086 of 2025

4.Kandasamy
The Tahsildar,
Thiruvattar Taluk,
Kanyakumari District.

... Contemnor / Respondents

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the contemnor / respondent for willfully and deliberately disobeying the order of this Court made in W.P.(MD)No.13339 of 2021, dated 16.07.2024.

For Petitioner :Mr.A.Balakrishnan

For Respondents :Mr.A.Kannan
Additional Government Pleader

ORDER

The petitioner herein filed W.P.(MD)No.13339 of 2021 for removing the encroachment committed by the private respondents in the petition mentioned sub channel. The writ petition was disposed of by us on 16.07.2024 in the following terms:-

“4. The learned Additional Government Pleader confirms that the private respondents had planted rubber trees and committed encroachment. The official respondents wants this Court to hold that since the trees have been brought under the control of the department and the department has taken possession, they can be spared.



Cont.P.(MD)No.2086 of 2025

5. No doubt, adopting such course of action would benefit the revenue interest of the department. But doing so will definitely alter the character of the water body. We, therefore, direct the respondents 1 to 4 to remove the rubber trees also. The petition-mentioned sub channel shall be restored to its original position. It shall be done within a period of six months from the date of receipt of a copy of this order. This writ petition stands allowed.”

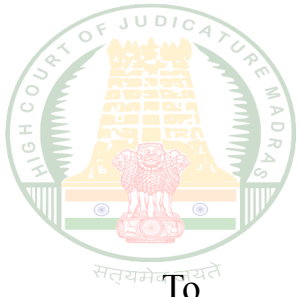
Contending that the direction of this Court has not been complied with, this writ petition came to be filed.

2. When the matter was taken up for hearing, the learned Additional Government Pleader submitted that the width of the channel is 0.60 meter and length is 200 meter and that free flow of water has been ensured. It is further stated that the rubber trees are standing only on the bund portion and that they do not obstruct the flow of water.

3. Recording the stand of the respondents, the contempt petition is closed.

[G.R.S., J.] [B.P., J.]
14.08.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
rmi



Cont.P.(MD)No.2086 of 2025

To
WEB COPY

- 1.The Executive Engineer,
Water Resources Organization,
Public Works Department,
Kanyakumari District.
- 2.The Assistant Executive Engineer,
Water Resources Organization,
Public Work Department,
Boothapondy,
Kanyakumari District.
- 3.The Assistant Executive Engineer,
Water Resources Organization,
Public Works Department,
Palayuru Sub Division,
Kanyakumari District.
- 4.The Tahsildar,
Thiruvattar Taluk,
Kanyakumari District.



WEB COPY



Cont.P.(MD)No.2086 of 2025

G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

rmi

Cont. P(MD)No.2086 of 2025

in

W.P.(MD)No.13339 of 2021

14.08.2025