



Cont.P.No.956 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

Contempt Petition No.956 of 2026

V.C.Kalisamy,
No.1/22, Vinayagar Koil Street,
Vellimalaipattinam,
Naraseepuram Post, Perur Taluk,
Coimbatore District- 641 109.

Petitioner

Vs

- 1.Dr.K.Manivannan
The Secretary to Government,
Public Works Department,
Government of Tamil Nadu,
Fort St. George, Chennai- 9.
- 2.Kranthi Kumar Pati, I.A.S.,
The District Collector of
Coimbatore,
Office of District Collector,
Coimbatore District.
- 3.Dr.M.Sharmila,
District Revenue Officer,
Collectorate Building,
Coimbatore - 641018.



Cont.P.No.956 of 2026

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4.Pandarínathan,
Revenue Divisional Officer,
Coimbatore (South)
Revenue Divisional Office
State Bank Road,
Coimbatore 641018.

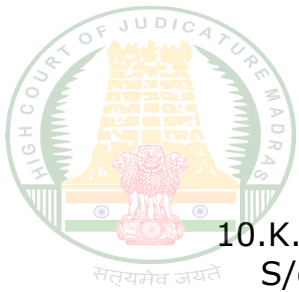
5.Jothibasú
Tahsildar
Perur Taluk, Perur Taluk Office,
44-C, Siruvani Main Road,
Perur, Coimbatore - 641010.

6.K.Senthilkumar,
D.No.83, Vellimalaipattinam,
Naraseepuram Post, Perur Taluk,
Coimbatore District - 641 109.

7.S.Shanthi,
Wife of K.Senthilkumar,
D.No.83, Vellimalaipattinam,
Naraseepuram Post,
Perur Taluk,
Coimbatore District - 641 109.

8.P.Ganesan
S/o.Palaniappa Nadar,
D.No.2, Opp. Prasanna Lakshmi Bakery,
Rani Rajalakshmi Nagar, Kulathupalaya,
Naraseepuram Post,
Perur Taluk,
Coimbatore District- 641 109.

9.C.Ramakrishnan,
D.No.8, Aarvee Premises, RKG Nagar,
Bommanampalayam-Vedapatti Road,
Bommanapalayam,
Vadavalli,
Coimbatore District- 641 109.



Cont.P.No.956 of 2026

10.K.Kalisamy @ Natarasu
S/o.Kaliappa Gounder,
Kuthiraivandi Thottam,
Pullakgoundenpudur,
Devarayapuram Post, Perur Taluk,
Coimbatore District- 641 109.

Respondents

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act to punish the respondents for having wilfully disobeying the order of this Court made in W.P.No.29193 of 2023, dated 9.10.2023.

For Petitioner: Mr.S.Senthilnathan

For Respondents: Mr. M.Suresh Kumar
Addl. Advocate General
Assisted by
Mr.M.Habeeb Rahman
Government Advocate
for R1 to R5

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

This contempt petition has been filed alleging willful disobedience of the order dated 9.10.2023 passed by this Court in W.P.No.29193 of 2023.

2. W.P.No.29193 of 2023 has been filed by the petitioner for issuance of a writ of mandamus directing respondents 1 and 2 herein to pass suitable instructions and order for removal of encroachment of



Cont.P.No.956 of 2026

respondents 6 to 10 herein and restore the water course channels as per the representation dated 25.8.2023 of the petitioner.

3. The writ petition has been disposed of on 9.10.2023 with the following order:

"Heard Mr.S.Senthilnathan, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader for the respondents 1 and 2.

2. Under communication dated 16.06.2023, it appears that the Tahsildar, Perur had informed the Collector, Coimbatore about the encroachment in S.Nos.386/2, 286/2, 238, 226/1, 229, 232, 236 and other lands. Even the names of the encroachers were given. It was further stated that notices under Sections 6 and 7 of the Tamil Nadu Land Encroachment Act, 1905 were also issued. Survey of the encroached lands was conducted in the presence of the encroachers and stones were laid.

3. According to the petitioner, still the encroachment exists.

4. Learned State Government Pleader submits that all effective steps would be taken by the Government expeditiously for removal of the encroachment on the said lands.

5. In view of the said statement, the writ petition is disposed of. There will be no order as to costs."



Cont.P.No.956 of 2026

WEB COPY

4. Earlier, alleging disobedience of the order dated 9.10.2023, the petitioner has filed Contempt Petition No.1388 of 2025. This Court, vide order dated 29.4.2025, dismissed the said contempt petition. The order dated 29.4.2025 reads thus:

"When we pointed out to the counsel that there is not even an averment, counsel stated that contempt notice sent to respondents that they have failed to obey the order of the Court is dated 09.01.2024, and it is referred to in paragraph No.1 of the petition. The notice, counsel stated, was at page No.45 of the typed set. We find that notice dated 29.01.2024.

2. Counsel stated thereafter, that too very casually, that it is the mistake of the counsel that the date in the affidavit is given as '09.01.2024' instead of '29.01.2024'.

3. We wonder whether petitioner has even read the petition because petitioner is alleging contempt against respondents, allegation of wilful disobedience of orders passed by this Court.

4. Petitioner cannot be so casual in making allegations without reading the petition. We also find in the affidavit that the year on which the affidavit has been signed is also not mentioned. It only says, '7th day of November at Chennai, in my presence'. This is another instance of petitioner being very casual while making serious allegations



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Cont.P.No.956 of 2026

against respondents. This itself indicates that petitioner has not read the affidavit; and we would add, even the lawyer too.

5. Therefore, we dismiss the petition."

5. Aggrieved by the order dated 29.4.2025, the petitioner has filed Special Leave Petition (Civil) Diary No.48597 of 2025 before the Apex Court and, vide order dated 13.10.2025, the Apex Court passed the following order:

"1. Delay Condoned.

2. While we are not inclined to interfere with the impugned order passed by the High Court dismissing the contempt petition on technical grounds, we make it clear that if a fresh contempt petition, with necessary details, is filed, the same may be considered and disposed of by the High Court on its own merits.

3. With these observations, the Special Leave Petition is disposed of."

6. Pursuant to the observation made by the Apex Court, the petitioner has filed the present contempt petition alleging that, after passing order in the writ petition, the petitioner made several representations and periodical meetings with respondents 2 to 5,



Cont.P.No.956 of 2026

which resulted in getting benefit of removing only 21 coconut trees.

Further, 900 trees stated to be preventing the water course are not removed and the illegal encroachments by the private respondents are still in their possession, which clearly establishes that respondents 1 to 5 are not interested in removing the encroachment, thereby they disobeyed the order of this Court.

7. The fifth respondent has filed an affidavit, affirmed on 24.4.2026, wherein it is stated the encroachment preventing free flow of water course has been removed on 16.8.2024 and the water course bunds/banks have been strengthened. In respect of the remaining trees, the Block Development Officer, Thondamuthur has informed the second respondent on 25.4.2024 that the remaining 1405 trees are being maintained by Vellimalaipattinam, Narasipuram Panchayats till date. Further, the Assistant Executive Engineer (Water Resources Department) and the Block Development Officer concerned have been instructed to monitor the water flow and in case any blockage has been noticed in future, the above officials along with the Tahsildar, Perur Taluk would be taking necessary action by following due procedures.



Cont.P.No.956 of 2026

8. The affidavit of the fifth respondent further states that the report of the Assistant Executive Engineer (WRD), Irrigation Sub Division indicates that only 23 trees are identified causing hindrance which prevents free flow of water in the Odai Poramboke in the subject lands and they are to be removed and the rest of the trees are planted on the bank of the water course and not obstructing the water flow. They are standing there for more than 30 years. Since they have commercial value, they have to be brought under the maintenance of the local body to prevent loss to the Government.

9. The petitioner has not filed any rejoinder and/or reply-affidavit to controvert the averments set out in the affidavit of the fifth respondent. Since 23 trees which prevented free flow of water in the subject lands have already been removed and the remaining trees, which are not obstructing the water flow, are being now maintained by the local bodies with an instruction to the Assistant Executive Engineer (WRD) and the Block Development Officer to monitor the water flow in case there is any blockage noticed in future, we are of the view that there is no necessity to keep this contempt petition pending. Moreover, from the records, it appears that there is no willful disobedience of the order passed by this Court and the authorities are



Cont.P.No.956 of 2026

now monitoring the water flow.

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Accordingly, the contempt petition is closed. There shall be no order as to costs.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN,J)
29.04.2026

Index : Yes/No
Neutral Citation : Yes/No
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Cont.P.No.956 of 2026

THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

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29.04.2026