

W.P.(MD)No.9407 of 2025 and
Cont.P.(MD) No.2271 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P.(MD)No.9407 of 2025
and
W.M.P.(MD) No.7039 of 2025
and
Contempt Petition (MD) No.2271 of 2024
in
W.P.(MD) No.13092 of 2023**

W.P.(MD) No.9407 of 2025:

1.Mohamed Ameen

2.Kamidar Beevi

... Petitioners

Vs.

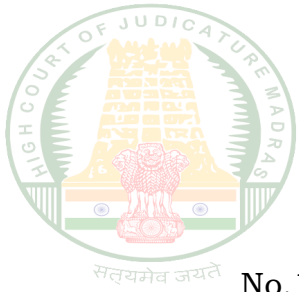
1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Revenue Divisional Officer,
Kovilpatti Revenue Division,
Thoothukudi District.

3.The Tahsildar,
Kayathar Taluk,
Thoothukudi District.

4.M.Guruputhiran

5.Flamesun Solar Private Limited,
Having its registered office at



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No.105, 1st Floor, E wing, Corporate Avenue,
AK Link Road, Chakala, Andheri East,
Airport (Mumbai), Mumbai,
Maharashtra, India-400 099,
Rep., by its Authorised Signatory,
Mr.Suresh Ganesan.

... Respondents

***[R5 is impleaded vide Court order dated
28.07.2025 in W.M.P.(MD) No.11674 of
2025 in W.P.(MD) No.9407 of 2025]***

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating to the impugned notice in Na.Ka.A2/7138/2022, dated 28.03.2025 issued by the 3rd respondent and quash the same as illegal.

For Petitioner	:	Mr.A.N.Ramanathan
For RR1 to 3	:	Mr.S.P.Maharajan Special Government Pleader
For R4	:	Mr.Aayiram K.Selvakumar
For R5	:	Mr.Dwarakesh Prabhakaran

Cont.P.(MD) No.2271 of 2024:

M.Guruputhiran

... Petitioner/
Petitioner

Vs.

1.K.Elambahavath, IAS,
The District Collector,
Thoothukudi District,
Thoothukudi.

2.Nagarajan,
The Tahsildar,



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Kayathar Taluk,
Thoothukudi District.

3.Subbulakshmi or Pandiyarajan,
The Block Development Officer,
Kayathar Taluk, Thoothukudi District.

4.Sanmugaiah,
The President,
Ayyanaroothu Panchayat,
Ayyanaroothu, Kayathar Taluk,
Thoothukudi District.

... Contemnors/
Respondents 1 to 4

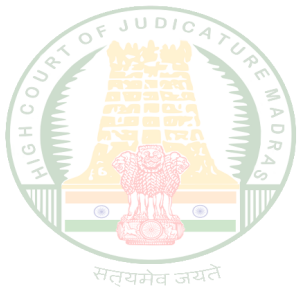
5.Flamesun Solar Private Limited,
Rep., by its Authorised Signatory,
Mr.Suresh Ganesan.
Having its registered office at
No.105, 1st Floor, E wing, Corporate Avenue,
AK Link Road, Chakala, Andheri East,
Airport (Mumbai), Mumbai,
Maharashtra, India-400 099.

... 5th Respondent

**[R5 is impleaded vide Court order dated
28.07.2025 in Sub.A.(MD) No.175 of 2025
in Cont.P.(MD) No.2271 of 2024]**

PRAYER: Contempt Petition filed under Section 11 of Contempt of Courts Act, 1971 to punish the contemnors/respondents for their deliberate and willful disobedience of the order passed in W.P.(MD) No.13092 of 2023, dated 13.12.2023.

For Petitioner	:	Mr.Aayiram K.Selvakumar
For RR1 to 3	:	Mr.S.P.Maharajan Special Government Pleader
For R4	:	No appearance
For R5	:	Mr.Dwarakesh Prabhakaran



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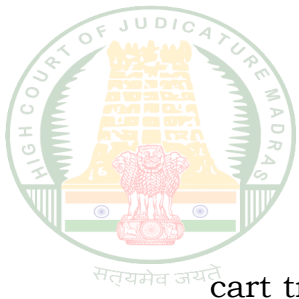
COMMON ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The notice dated 28.03.2025 issued by the Tahsildar, Kayathar Taluk, consequent to the initiation of contempt proceedings in Contempt Petition (MD) No.2271 of 2024 is under challenge in the writ petition in W.P.(MD) No.9407 of 2025.

2. A perusal of the notice reveals that it was issued under the threat of the contempt proceedings initiated by one Guruputhiran. Such notice cannot be sustained and the learned Special Government Pleader has no serious objection, since it was not issued independently based on the facts prevailed in the subject location during the relevant point of time. Thus, the order impugned dated 28.03.2025 is set aside.

3. As far as the grievances of the parties are concerned, the District Collector, Tuticorin has conducted an elaborate enquiry by affording opportunity to the parties. The statement of the parties was considered by the District Collector and by consensus, an alternate



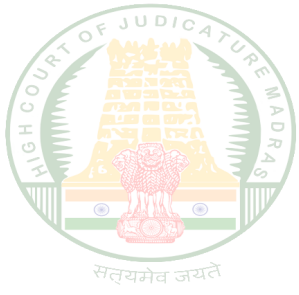
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cart track has been created for the people of the locality. The order of the District Collector, Tuticorin reveals that equivalent *nilaviyal paathai* has been formed in alternate to the original *nilaviyal paathai*. The said proposal was agreed between the parties and the District Collector by imposing certain terms and conditions, allowed the people to use the alternate *nilaviyal paathai*. This being the factum, no further adjudication on merits needs to be undertaken in the writ petition. Therefore, W.P.(MD) No.9407 of 2025 is disposed of.

4. However, the learned counsel for the contempt petitioner would submit that in one location in S.No.88/2, there is no possibility of taking the vehicle.

5. If at all any such grievance exists, the contempt petitioner is at liberty to approach the District Collector, Tuticorin to resolve the issues in the manner known to law. However, the *nilaviyal paathai* is concerned, it has been resolved by way of consensus before the District Collector and therefore, the contempt petition in Cont.P.(MD) No.2271 of 2024 is closed.



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6. In the result, W.P.(MD) No.9407 of 2025 is disposed of and Cont.P.(MD) No.2271 of 2024 is closed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

J.]

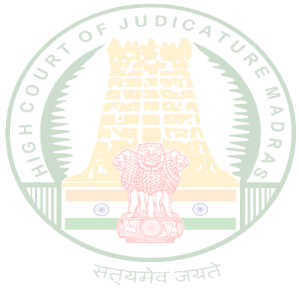
[S.M.S., J.]

[A.D.M.C.,

28.07.2025

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

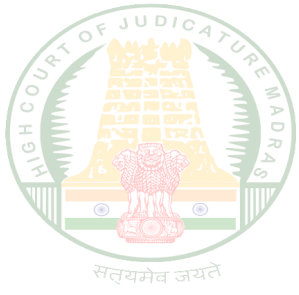
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