

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 22-09-2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH

AND

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.29507 of 2016

K.Ayyanar

..Petitioner

-vs-

The Village Panchayat President,
Alagramam Panchayat,
Mailam Panchayat Union,
Tindivanam Taluk,
Villupuram District.

..Respondent

Writ Petition under Article 226 of the Constitution of India, praying for issuance of a writ of certiorari, to call for the records of the respondent impugned order, dated Nil, passed under Section 6 of the Tamil Nadu Land Encroachment Act 1905 and quash the same.

For petitioner : Mr.R.Thirugnanam

For respondent : Mr.P.S.Sivashanmugasundaram,
Spl.Govt.Pleader.

O R D E R

(Order of the Court was made by S.Vaidyanathan, J.)

What is challenged in this Writ Petition is, the order passed by the respondent, dated Nil, under Section 6 of the Tamil Nadu Land Encroachment Act,1905, in and by which, the petitioner was called upon to vacate the land in Survey No.433/1, Alagramam village. According to the respondent, the land in Survey No.433/1, Alagramam village, to an extent of 275 sq.mts. is a Government Poramboke land, which is, however, denied by the petitioner.

2. What may, it is fairly submitted by the learned Special Government Pleader, appearing for the respondent, that the order impugned has been passed by the respondent without jurisdiction and, hence, it may be set aside, giving liberty to the respondent to issue fresh notice in accordance with

3. Recording the above submission of the learned Special Government Pleader, the impugned order passed by the respondent is set aside. However, liberty is given to the respondent/authority concerned to initiate the proceedings afresh in accordance with law, if they are so advised.

4. Writ Petition is disposed of accordingly. No costs. Consequently, the connected W.M.P.No.25537 of 2016 is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

dixit
To

The Village Panchayat President,
Alagramam Panchayat,
Mailam Panchayat Union,
Tindivanam Taluk,
Villupuram District.

+1cc to Mr.R. Thirugnanam, Advocate, S.R.No.53836

GJ(CO)
EU(2/11/2016)

W.P.No.29507 OF 2016

सत्यमेव जयते

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