



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.[MD].No.21702 of 2016

and

W.M.P.(MD).No.15514 of 2016

G.Gurunathan

.. Petitioner

Vs.

1. The District Collector,
Sivagangai District.
2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sivagangai District.
3. The Tahsildar,
Thiruppuvanam Taluk,
Sivagangai District.
4. The Revenue Inspector,
Thiruppuvanam Taluk,
Sivagangai District.
5. The Village Administrative Officer,
Piramanoor West Group,
Thiruppuruvanam Taluk,
Sivagangai District.
6. The Block Development Officer,
Thiruppuvanam Union,
Sivagangai District.
7. The Inspector of Police,
Palayanoor Police Station,
Sivagangai District.

8. Gopal

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned notice under the Tamil Nadu Land Encroachment Act, 1905, against the petitioner family house property in classification of Sarkar Manai Natham in Survey No.706/2 to the extent of 0.00.60 on the



file of Chokkanathiruppu Village, Piramanoor (West Group), Thiruppuvanam Taluk, Sivagangai District issued by the 4th respondent, dated 31.10.2016 and quash the same as illegal, on the basis of the 1st respondent issued in S.L.R. Copy and mentioned in Natham Survey No.706/2 to the extent of 0.00.60 in favour of father of the petitioner name Ganesan S/o.Muthiya and consequently issue a direction to the Revenue Department Officers to proceed with O.S.No.247 of 2016 in I.A.No.640 of 2016 on the file of the Hon'ble Sub Court at Sivagangai, Sivagangai District.

For Petitioner : Mr.R.Udhayakumar
For respondents 1 to 5 : Mr.M.Govindan,
& 7 Special Government Pleader
For 6th respondent : No appearance

O R D E R

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

The petitioner claims to be the absolute owner of the land in Survey No.706/2 at Chokkanathiruppu Village, Piramanoor (West Group), Thiruppuvanam Taluk, Sivagangai District. But, the fourth respondent has issued a notice under Section 7 of the Tamil Nadu Land Encroachment Act, seeking to vacate the petitioner from the said property, as it is a Government promboke land. Challenging the said notice, the petitioner has come up with this Petition,

2. Today, when the matter was taken up for hearing, the learned Special Government Pleader submitted that the property comprised in Survey No.706/2 is a natham land belonging to the petitioner and the impugned notice has been issued by mistake and what was intended to be given was a notice in respect of Survey Nos.706/1 and 706/11. The learned Special Government Pleader would further submit that the fourth respondent would withdraw the impugned notice. The same is recorded.

3.In view of the above, this Writ Petition is disposed of ordering that the impugned notice shall stand withdrawn. No costs. Consequently, connected miscellaneous petition is closed.

Sd/
Assistant Registrar(C.S.-I)

/TRUE COPY/

Sub Assistant Registrar

To

<https://hcservices.ecourts.gov.in/hcservices/>

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3.The Tahsildar,
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Sivagangai District.

4.The Revenue Inspector,
Thiruppuvanam Taluk,
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5.The Village Administrative Officer,
Piramanoor West Group,
Thiruppuruvanam Taluk,
Sivagangai District.

6.The Block Development Officer,
Thiruppuvanam Union,
Sivagangai District.

7.The Inspector of Police,
Palayanoor Police Station,
Sivagangai District.

+1cc to M/s.R.Udhayakumar, Advocate, in SR No.69926.

+1cc to Special Government Pleader in SR.No.70280.

Order made in
W.P.[MD].No.21702 of 2016
17.11.2016

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msm/ss3/sar3/25.11.16/p3/10c