



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.12.2016

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
AND
THE HONOURABLE MR.JUSTICE R.MAHADEVAN**

W.P (MD) No.25072 of 2016

and

W.M.P (MD) Nos.18144 and 18145 of 2016

Elayaperumal

... Petitioner

Vs.

1. The District Collector,
Tuticorin District.
2. The Block Development Officer,
Tuticorin,
Tuticorin District.
3. The Tahsildar,
Tuticorin,
Tuticorin District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records relating to the impugned order dated 22.12.2016 passed by the second respondent in his proceedings in 5/2586/2011-2 and quash the same.

For Petitioner : Mr.S.Balaji
For Respondents : Mr.C.Selvaraj,
Special Government Pleader for R.1 to R.3

ORDER

(Order of the Court was made by R.MAHADEVAN,J.)

Mr.C.Selvaraj, learned Special Government Pleader takes notice for the respondents.

2. By consent, the writ petition itself is taken up for final disposal.

3. With regard to the removal of encroachment, the impugned notice dated 22.12.2016 was issued by the second respondent vide his proceedings in 5/2586/2011-2 and challenging the same, this writ



petition has been filed.

4. Heard the learned Counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

5. The learned Special Government Pleader appearing for the respondents, on instructions, would submit that the impugned proceedings which is under challenge before this Court, is nothing but a notice and hence, it is for the petitioner to file necessary objection to the said notice.

6. Recording the said submission of the learned Special Government Pleader appearing for the respondents, this writ petition is disposed of, directing the petitioner to file reply/objection to the impugned notice/proceedings dated 22.12.2016 issued by the second respondent vide his proceedings in W5/2586/2011-2, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the second respondent shall consider the same and pass appropriate orders on merits and in accordance with law within a period of two weeks thereafter. No costs. Consequently, the connected writ miscellaneous petitions are closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Tuticorin District.
2. The Block Development Officer,
Tuticorin,
Tuticorin District.
3. The Tahsildar,
Tuticorin,
Tuticorin District.

+ 1 CC TO Mr.S.BALAJI, ADVOCATE IN SR No. 83638

ER/RSB
TE/PV/SAR-II : 03/01/2017 : 2P/5C

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