



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.02.2016

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THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P(MD).No.13695 of 2011
and
M.P(MD).No.1 of 2011

K.Veera samy ... Petitioner
Vs.

1.The District Collector,
Theni District, Theni.

2.The Tahsildar,
Bodinayakanur Taluk,
Theni District.

3.The Executive Officer,
Boodhipuram Town Panchayat,
Bodinayakanur Taluk,
Theni District.

4.O.Murugavel ... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorari to call for the records relating to the proceedings of the 3rd respondent vide Na.Ka.No.172/2011 dated 25.11.2011 and quash the same.

For petitioner : Mr.B.Brijesh Kishore

For R.1 to 3 : Mr.J.Gunaseelan Muthiah
Govt.Advocate

For R.4 : Mr.P.Arun Jayatram

ORDER

When the matter is taken-up for hearing, the learned Government Advocate through the counter affidavit submitted that as per the Revenue Authorities have surveyed the land and found that the petitioner has encroached certain lands adjacent to the petitioner's house. As per the revenue records, the worshipping spot in question is classified as street. The encroached land belongs to the Town Panchayat.

2. Heard the submissions of the learned Counsel for the petitioner as well as the learned Govt.Advocate for the respondents.

3. In view of the same, the land in question belongs to the third respondent and the petitioner has no locus to claim the said land. Therefore, I do not find any reason to quash the reasoned order passed by



the third respondent and consequently, I direct the third respondent to proceed with the notice dated 25.11.2011 in the manner known to law.

4. This Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

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/True copy/

Sd/-

Assistant Registrar(Writs)

Sub Assistant Registrar

To

1.The District Collector,
Theni District, Theni.

2.The Tahsildar,
Bodinayakanur Taluk,
Theni District.

3.The Executive Officer,
Boodhipuram Town Panchayat,
Bodinayakanur Taluk,
Theni District.

+1cc to M/s.P.Arun Jayatram, Advocate SR.No.8735

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W.P(MD) .No.13695 of 2011
11.02.2016