



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 12.09.2016

Coram

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THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD)No.11370 of 2013**and****MP(MD) NO.1 of 2013**

M.Pushpavalli

. . . Petitioner

-Vs-

1.The District Collector,
Trichy.2.The Special Tahsildar,
Adhi Dravidar Welfare,
Office of the Special Tahsildar,
Trichy.3.The Assistant Commissioner,
Tiruchirapalli Corporation, Tiruchirapalli.4.The Divisional Engineer,
Highways Department, Tiruchirapalli.5.The Tahsildar,
Srirangam, Trichy-5.

. . . Respondents

(Respondents 3 to 5 are *suo motu* impleaded as per the order of
of this Court dated 18.07.2013)

Prayer: Writ Petition is filed under Article 226 of the
Constitution of India praying to issue a Writ of Certiorari to
call for the records of the 2nd respondent's impugned notice in
Na.Ka.A1-956-1989 dated/12/2012 and quash the same as
illegal.

For petitioner
For Respondents:Mr.H.Velavadhas
:Mr.V.Muruganandham
Additional Govt. Pleader**ORDER**

The writ petition has been filed challenging the notice,
<https://hcservices.ecourts.gov.in/hcservices/>
issued by the second respondent herein/Special Tahsildar, Adhi
Dravidar Welfare, Trichy, dated/12/2012, asking the



petitioner to appear for an enquiry regarding the violation of condition in the free house site patta.

2. On perusal of the records, this Court is of the prima facie view that it is only a notice issued by the second respondent calling upon the petitioner to appear for the enquiry. Challenging the same, the petitioner cannot file a writ petition.

3. However, the learned counsel for the petitioner would submit that even though house site patta was granted in the year 1997, the entire road, opposite to the land, is encroached by some third parties. So, a representation was already given by the petitioner and other patta holders to the Highways Department, requesting them to remove the encroachment. So far, encroachments have not been removed. In view of that, all of them are not in a position to construct houses.

4. In such circumstances, the petitioner is directed to appear for enquiry before the second respondent/Special Tahsildar, Adhi Dravidar Welfare, Trichy, with all relevant documents and express her grievance. The Special Tahsildar, Adhi Dravidar Welfare, Trichy is also directed to consider her request and pass appropriate orders, by concluding the enquiry within a period of 12 weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. Consequently, connected miscellaneous petition M.P.(MD).No.1 of 2013 is closed. There shall be no order as to costs.

Sd/
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector, Trichy.
2. The Special Tahsildar,
Adhi Dravidar Welfare, Office of the Special Tahsildar, Trichy.
3. The Assistant Commissioner, Tiruchirapalli Corporation,
Tiruchirapalli.
4. The Divisional Engineer, Highways Department, Tiruchirapalli.
5. The Tahsildar, Srirangam, Trichy-5.

+1 cc to MR.H.VELAVADHAS, Advocate Sr.No.51825
+1 cc to Special Government Pleader Sr.No.51967

W.P. (md).No.11370 of 2013
12.09.2016