



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN

AND

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. [MD]. No. 8303 of 2014

and

M.P. (MD) No. 1 of 2014

L. Alagu

: Petitioner

Vs.

1. The District Collector,
Madurai District.

2. The Thasildhar,
Vadipatti Taluk,
Madurai District.

3. The Village Administrative Officer,
Thanitichiam village,
Vadipatti Taluk,
Madurai District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents from in any manner evict the petitioner from the land, measuring about 9 cents comprised in S.No.230/2 in Thanitichiam Village, Vadipatti Taluk, Madurai District without following the procedures under the Tamil Nadu Land Encroachment Act.

For Petitioner : Mr. R. Suriya Narayanan

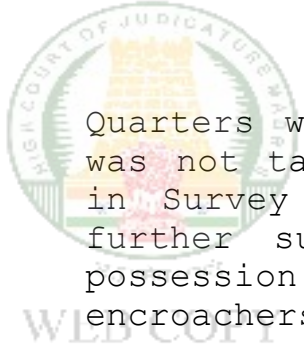
For Respondents : Mr. T. S. Mohammed Mohideen,
Additional Government Pleader

O R D E R

[Order of the Court was made by **K.K. SASIDHARAN, J.**]

The petitioner filed this Writ Petition with a prayer to forbear the respondents from evicting him from the land in Survey No.230/2 in Thanitichiam Village, Vadipatti Taluk, Madurai District, without following due process of law.

2. The learned Additional Government Pleader, on instructions from the second respondent, submitted that there was a proposal to construct a Revenue Inspectors' Quarters in the property in Survey No.230/2. The said land is a Government land. Subsequently, the



Quarters was constructed in Survey No.372/33. Therefore, action was not taken to evict the encroachment relating to the property in Survey No.230/2. The learned Additional Government Pleader further submitted that in case there is a proposal to take possession of the said land, notice will be issued to the encroachers. The said submission is recorded.

3.In view of the submissions made on behalf of the State, there is no need for a further adjudication of the issues raised by the petitioner.

4.The Writ Petition is closed with the above observation. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Madurai District.

2.The Thasildhar,
Vadipatti Taluk,
Madurai District.

3.The Village Administrative Officer,
Thanitichiam village,
Vadipatti Taluk,
Madurai District.

+1cc to Mr.R.Suriyanarayanan,Advocate,SR.64843

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SML/MR
KK/MR KKR/SAR1/24.07.2017/2P-5C