



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : **13.06.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **A.SELVAM**

and

THE HONOURABLE MR.JUSTICE **N.AUTHINATHAN**

W.P (MD) No.10902 of 2017

and

W.M.P (MD) No.8332 of 2017

V.Lingaraj

.. Petitioner

Vs.

1.The District Collector,
Theni District.

2.The Executive Officer,
Andipatti Town Panchayat,
Theni District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari calling for the records relating to the impugned order passed by the second respondent in Na.Ka.No.130/2016 dated 29.05.2017 in respect of Survey No.483/1, 483/2 Andipatti I Bit, Andipatti Taluk, Theni District and quash the same as illegal.

For Petitioner : Mr.B.Jeyakumar

For Respondents : Mr.K.Guru,
Additional Government Pleader.

ORDER

[Order of the Court was made by **A.SELVAM, J.**]

This writ petition has been filed under Article 226 of the Constitution of India praying to call for records relating to the notice dated 29.05.2017 passed in Na.Ka.No.130/2016 by the second respondent, in respect of Survey Nos.483/1, 483/2, Andipatti I Bit, Andipatti Taluk, Theni District and quash the same, by way of issuing a writ of certiorari.

2.Mr.K.Guru, learned Additional Government Pleader, has taken notice for the respondents.

3.The learned counsel appearing for the petitioner has contended to the effect that for the purpose of reconstructing the house of the petitioner after removing encroachment fifteen days time is required and the same may be given.



4.It is seen from the records that on 29.05.2017, the second respondent has issued the impugned notice whereby directed the petitioner to remove encroachment within a period of seven days.

5.Considering the request made on the side of the petitioner, this Court is inclined to pass the following order.

6.In fine, the petitioner is directed to remove encroachment on or before 07.07.2017. Failing compliance, the second respondent is directed to proceed on the basis of impugned notice. With the above observation, this writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

ASSISTANT REGISTRAR(CO)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

1.The District Collector,
Theni District.

2.The Executive Officer,
Andipatti Town Panchayat,
Theni District.

+1 CC TO MR.B.JEYAKUMAR, ADVOCATE, SR NO.59977

+1 CC TO SPECIAL GOVERNMENT PLEADER SR NO.60213

smn

MAS/JC/SAR2:21.06.2017:2P-5C

ORDER MADE IN
W.P (MD) No.10902 of 2017
and
W.M.P (MD) No.8332 of 2017
13.06.2017