



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 07.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN

AND

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. [MD].No.11337 of 2017

and

W.M.P. (MD) Nos.8721 and 8722 of 2017

Jeyaraman : Petitioner

Vs.

1.The Tahsildar,
Ilayangudi Taluk,
Sivagangai District.

2.Masanam : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the records relating to the eviction notice made in Na.Ka.A1-331-2016, dated 08.06.2017 on the file of the first respondent and quash the same.

For Petitioner : Mr.V.Kannan

For Respondent No.1 : Mr.M.Govindan,
Special Government Pleader

For Respondent No.2 : Mr.S.Karthick Subramanian

O R D E R

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

The order passed by the first respondent, directing eviction of the petitioner in respect of the property in Survey No.122/5A of Kachathanallur Village Group, Ilayangudi Taluk, Sivagangai District, is under challenge in this Writ Petition primarily on the ground that the order was passed in violation of the principles of natural justice.

2. The order passed by the first respondent does not contain any indication that notice was issued by him before passing order. In fact, the provision of law is also not mentioned in the order passed by the first respondent. We are, therefore, of the view that the impugned order is liable to be set aside.

3. In the result, the order dated 08 June, 2017, is set aside. The matter is remitted to the first respondent for fresh consideration. It is open to the first respondent to issue notice to the petitioner invoking the provisions of the applicable Act



and dispose of the matter on merits and as per law.

4. The Writ Petition is allowed as indicated above. No costs. Consequently, the connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

The Tahsildar,
Ilayangudi Taluk,
Sivagangai District.

+1cc to M/S.Special Government Pleader,SR.64461
+1cc to Mr.S.Karthick Subramanian,Advocate,SR.64514
+1cc to Mr.V.Kannan,Advocate,SR.64586

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