



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **13.07.2017**

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.11561 of 2017

and

W.M.P(MD) .No.8908 of 2017

Bala Subramani

.. Petitioner

Vs.

1.The Executive Officer,
Chinnalapatty Town Panchayat,
Chinnalapatty, Dindigul District.

2.The Assistant Director of Town Panchayat,
Collectorate Office,
Dindigul District.

3.V.Sentheepan

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records relating to the proceedings of the Impugned Notice in Na.Ka.432/2017/2 dated 13.06.2017 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.Robert Chandrasekar
for Mr.G.Prabhu Rajadurai
For Respondents : Mr.T.S.Mohammed Mohideen
Additional Government Pleader
for R.1 and R.2
: Mrs.Saranya
for Mr.N.Sathish Babu
for R.3

O R D E R

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

Notice issued by the first respondent for eviction is under challenge on the ground that the Executive Officer has no jurisdiction for issuance of such notice.

2.When the Writ Petition was taken up for consideration, the Government Pleader submitted that the Tahsildar is the competent authority to issue notice for eviction.



3.It is open to the competent Authority to issue notice and pass appropriate orders on merits and as per law.

4.The impugned order is quashed, with liberty to the competent Authority to initiate action.

5. The Writ Petition is allowed as indicated above. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd /-

ASSISTANT REGISTRAR(CS-I)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

1.The Executive Officer,
Chinnalapatty Town Panchayat,
Chinnalapatty, Dindigul District.

2.The Assistant Director of Town Panchayat,
Collectorate Office,
Dindigul District.

+1 CC TO MR.G.PRABHU RAJADURAI, ADVOCATE,SR NO.65439
+1 CC TO MR.N.SATHIS BABU, ADVOCATE,SR NO.65507
+1 CC TO MR.T.S.MOHAMMED MOHIDEEN, ADVOCATE,SR NO.65175
+1 CC TO SPECIAL GOVERNMENT PLEADER SR NO.65681

ssl/dsk

MAS/GT/SAR2:25.07.2017:2P-7C

W.P. (MD) No.11561 of 2017
13.07.2017