



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2017

CORAM:

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN**

**and**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P. (MD)No.12777 of 2017**

**and**

**W.M.P. (MD)No.9879 of 2017**

M.Sabeena Begum

.. Petitioner

Vs.

- 1.The District Collector,  
Trichy District,  
Trichy.
- 2.The Assistant Director(Panchayat),  
District Collector Office,  
Trichy, Trichy District.
- 3.The Commissioner,  
(Village Panchayat),  
Special Officer & Panchayat Union,  
Manapparai,  
Trichy District.
- 4.The Block Development Officer,  
O/o the BDO Office,  
Panchayat Union,  
Manapparai,  
Trichy District.
- 5.The Secretary,  
Panchayat Union,  
Puthanatham,  
Manapparai Taluk,  
Trichy District.
- 6.The Tahsildar,  
Manapparai,  
Trichy District.
- 7.S.Abdul Pari

.. Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records relating to the impugned order issued by the fourth respondent in his



proceedings e.f.M.3/771/2017 dated 18.05.2017 and quash the same as illegal insofar as it relates to the petitioner is concerned.

For petitioner : Mr.B.Anandan  
For respondents : Mr.T.S.Mohammed Mohideen  
Additional Government Pleader  
for R.1 to R.6

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**O R D E R**

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[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. The Writ Petitioner has challenged the order dated 18.05.2017, passed by the Block Development Officer, in Na.Ka.Aa3/771/2017, calling upon the Writ Petitioner to remove the encroachment in question.

3. It is seen from the very face of the order, without prior notice to the Writ Petitioner, the order in question has been passed. On that sole ground, it is liable to be aside. It is accordingly set aside. The Writ Petition is allowed and the matter is remitted to the file of the competent Authority. It is open to the competent Authority to proceed afresh in the manner known to law. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-  
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To:

- 1.The District Collector,  
Trichy District,  
Trichy.
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(Village Panchayat),  
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- 4.The Block Development Officer,  
Panchayat Union,  
Manapparai, Trichy District.



5.The Secretary,  
Panchayat Union,  
Puthanatham,  
Manapparai Taluk,  
Trichy District.

6.The Tahsildar,  
Manapparai,  
Trichy District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.64931  
+1cc to Mr.B.ANANDAN Advocate in SR. No.64751

SSL/DSK  
JS/MR.KKR/SAR.2/19.7.2017/3P-9C

**W.P. (MD) No.12777 of 2017**  
**11.07.2017**