



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Dated : 16.08.2017

CORAM :
THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.13730 of 2017
and
W.M.P (MD) No.10715 of 2017

K.S.Sahaya Raj

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Trichirappalli,
Trichy District.

2.The Tahsildar,
Trichy East,
Trichy.

3.G.Madasamy

4.The Village Administrative Officer,
Sengulamkottapattu
The Officer of Tahsildar (East)
Trichy District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari to call for the records relating to the impugned order passed by the second respondent in his proceedings Na.Ka.A1-1135-2017, dated 07.2017 served on the petitioner only on 21.07.2017 and quash the same as illegal and without jurisdiction.

For Petitioner : Mr.B.Saravanan

For Respondents : Mr.M.Govindan, Spl.GP
for R1, R2 to R4
No appearance for R3

O R D E R

(Order of the Court was made by **K.K.SASIDHARAN, J.**)

The writ petition is directed against the notice in the nature of proceedings for eviction issued by the Village Administrative Officer, pursuant to the direction given by the Revenue Divisional Officer, Trichy.



2. When the writ petition came up for hearing on an earlier occasion, the Village Administrative Officer appeared before this Court and submitted that the proceedings in question was issued pursuant to the direction given by the Revenue Divisional Officer. We therefore directed the Revenue Divisional Officer, Trichirappalli to appear in person today.

3. When the matter was taken up for hearing, the learned Special Government Pleader on instruction from the Revenue Divisional Officer submitted that the impugned order was passed without understanding the scope of his powers.

4. The impugned proceedings is in the nature of an order of eviction. Neither the Revenue Divisional Officer nor the Village Administrative Officer are competent to issue such an order. We therefore quash the impugned order.

5. The writ petition is allowed as indicated above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Trichirappalli, Trichy District.

2. The Tahsildar, Trichy East, Trichy.

3. The Village Administrative Officer,
Sengulamkottapattu
The Officer of Tahsildar (East)
Trichy District.

+1cc to Mr.B.SARAVANAN, Advocate, SR.72802

+1cc to M/S.Special Government Pleader, SR. 72938

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SKM/ARUL

KK/SV MMS/SAR 4/29.08.2017/ 2P- 6C