



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 18.08.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.[MD].No.15512 of 2017

and

W.M.P(MD)Nos.12274 and 12275 of 2017

1.J.Vaigairani

2.C.Jeevandam

: Petitioners

Vs.

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
Thirumayam Taluk,
Pudukkottai District.

3.The Assistant Engineer,
P.W.D & W.R.O.,
Irrigation Division,
Thirumayam,
Pudukkottai District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus after calling for the records relating to the impugned eviction order of the third respondent dated 21.07.2017 issued in the name of father of the 1st petitioner C.Jeevandam/the 2nd petitioner and quash the same.

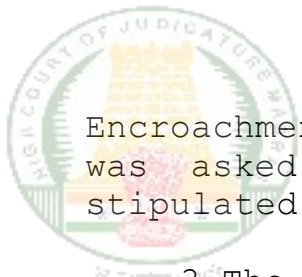
For Petitioners : Mr.P.Ganapathi Subramanian

For Respondents : Mr.T.S.Mohammed Mohideen
Addl.Govt. Pleader

O R D E R

[Order of the Court was delivered by **M.M.SUNDRESH, J.**]

By consent, the writ petition itself is taken up for final disposal.



Encroachments Rules, 2007. By the aforesaid rule, the petitioner was asked to remove the encroachment made, within the time stipulated therein.

3. The learned counsel for the petitioners would submit that the said notice has been issued without following the procedure.

4. A perusal of the same, would show that the petitioner has not been put on notice. Therefore, the aforesaid notice is treated as show cause notice. Liberty is given to the petitioner to give reply to the said notice within a period of four weeks from the date of receipt of a copy of this order and thereafter, a reasoned order will have to be passed by the third respondent. Till appropriate orders is passed, status quo as on date to be maintained.

5. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Pudukkottai District,
Pudukkottai.

2. The Tahsildar,
Thirumayam Taluk,
Pudukkottai District.

3. The Assistant Engineer,
P.W.D & W.R.O.,
Irrigation Division,
Thirumayam,
Pudukkottai District.

+1cc to Mr. P. GANAPATHI SUBRAMANIAN, Advocate, SR. 28885

+1cc to M/S. Special Government Pleader, SR. 73508

W.P. [MD]. No. 15512 of 2017
18.08.2017

AM/CP

KK/SV MMS/SAR1-28.08.2017-2P-6C