



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. [MD] .No.3187 of 2017

and

W.M.P. (MD) No.2537 of 2017

P.Muthappa

: Petitioner

Vs.

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The Tahsildar,
Tirunelveli Taluk,
Tirunelveli District.
3. The Village Administrative Officer,
Sindhupundurai, Tirunelveli.
4. The Joint-Commissioner,
Hindu Religious and Charitable
Endowment Department,
Tirunelveli.
5. The Tharumapuram Atheenam Mutt,
Represented by its Atheenakartha,
Mayiladuthurai,
Nagapattinam District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the second and third respondents from interfering with the peaceful possession of the petitioner and maintenance of the Nandavanam land belongs to the fifth respondent situated in T.S.No.1096/7 Sindhupoondurai Village, Tirunelveli Junction.

For Petitioner : Mr.H.Arumugam

For Respondents 1 to 4 : Mr.T.S.Mohammed Mohideen
Additional Government Pleader

For Respondent No.5 : S.Satheesh Kumar

O R D E R

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



2. It is the grievance of the petitioner that the second and third respondents are contemplating to take action for eviction without issuing notice.

3. The question of eviction would arise only in case proceedings are taken in accordance with law. In case the second and third respondents are of the view that the petitioner is in unauthorized occupation of Government land, necessarily, notice should be issued. In short, the question of eviction of the petitioner from the land would arise only after issuing notice to him in the manner known to law.

4. The Writ Petition is disposed of with the above observation. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The Tahsildar,
Tirunelveli Taluk,
Tirunelveli District.
3. The Village Administrative Officer,
Sindhupundurai, Tirunelveli.
4. The Joint-Commissioner,
Hindu Religious and Charitable
Endowment Department,
Tirunelveli.

+1cc to Mr.H.Arumugam, Advocate Sr.No.64115

+1cc to Spl.Government Pleader Sr.No.64431

SML/MYR

VB/JC/SAR2/19.07.2017/2P/7C

**Order made in
W.P. [MD] .No.3187 of 2017
06.07.2017**