



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2017

CORAM :

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

W.P (MD) No.24055 of 2016
and

W.M.P (MD) .No.17356 & 17357 of 2016

P.Ranjitham

... Petitioner

vs.

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Musiri, Trichy District.

2.The Block Development Officer,
Village Panchayat, Thottiyam Union,
Trichy District.

3.The President,
Unniyur Village Panchayat,
Thottiam Taluk, Trichy District.

4.G.Kanagaraj

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records relating to the proceedings of the notice in Na.Ka.No.A2/848/2016 passed by the second respondent dated 16 November 2016 in respect of the property situated in Natham survey No.29, Unniyur Village, Thottiam Taluk, Trichy District and quash the same as illegal.

For Petitioner : Mr.V.Karuna

For Respondents : Mr.M.Govindan,

Spl.G.P. For R1 & R2

Mr.M.Karthikeya Venkatachalapathy
for R4.

Mrs.R.Yamuna, Advocate Commissioner

O R D E R

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

<https://hcservices.courts.gov.in/hcservices/>
The second respondent by proceedings dated 16 November 2016 informed the petitioner that in case, the encroachment is not



removed in respect of the property in Survey No.29, action would be taken in accordance with law for eviction.

2.Since there is no adverse order passed against the petitioner, there is no question of adjudication on merits. In case, notice is issued by the authorities, it is open to the petitioner to submit his explanation indicating the factual position. Such objection should be considered by the concerned authorities, before passing order in accordance with law.

3.The writ petition is disposed of with the above observation. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-I)

/ True Copy /

Sub Assistant Registrar(C.S.)

To

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Musiri, Trichy District.

2.The Block Development Officer,
Village Panchayat,Thottiyam Union,
Trichy District.

3.The President,
Unniyur Village Panchayat,
Thottiam Taluk, Trichy District.

+1cc to M/S.V.KANNAN, Advocate SR.No.66438

+1cc to Special Government Pleader, SR.No.66569

skm / arul

MAS/SV/SAR2:26.07.2017:2P-6C

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and

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