



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.14766 of 2013

and

M.P. (MD) Nos.1, 2 of 2013 and 1 of 2014

A.Padmanaban

: Petitioner

Vs.

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Revenue Divisional Officer,
Aruppukkottai, Virudhunagar.
3. The Tahsildar,
Kariapatti Taluk, Virudhunagar.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, call for the records relating to the impugned notice sent by the third respondent in Na.Ka.P2/2392/2013 dated 31.07.2013 and to quash the same in respect of S.No.29/11 in Achampatti Village.

For Petitioner : Mr.Babu Rajendran

For Respondents : Mr.T.S.Mohamed Mohideen,
Additional Government Pleader.

O R D E R

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

Earlier, this Court passed the order dated 24 August, 2010, in W.P.(MD)No.5988 of 2010, directing the respondents to remove the encroachment, after issuing notice to the petitioner. The third respondent passed the impugned order without issuing notice to the petitioner. The petitioner is, therefore, before this Court.

2. The order passed by the third respondent does not contain any indication that opportunity of hearing was given to the petitioner. We, therefore, quash the impugned order solely on the ground of violation of the principles of natural justice.



3. In the result, the impugned order dated 31 July, 2013, is set aside. The matter is remitted to the third respondent for fresh consideration.

4. The Writ Petition is allowed as indicated above. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Virudhunagar District, Virudhunagar.

2. The Revenue Divisional Officer,
Aruppukkottai, Virudhunagar.

3. The Tahsildar,
Kariapatti Taluk, Virudhunagar.

+1 CC to M/s.BABU RAJENDRAN, Advocate, SR No. 63880

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 64445.

SML/MYR

PSM/KP/SAR1/18.07.2017/2P/6C

**Order made in
W.P. [MD].No.14766 of 2013
Dated: 06.07.2017**