

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2018

C O R A M

THE HON'BLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P.No.188 of 2013
and M.P.No.1 of 2013

C.Muruganandham

... Petitioner

Vs

1. The District Collector
Collector Office,
Tiruvarur.

2. The Block Development Officer,
Panchayat Union Office,
Tiruvarur.

3. D.Chitra

4.A.Deva

... Respondents

Writ Petition filed under Article 226 of the Constitution of India pleased to issue a writ of certiorarified mandamus to call for the records of impugned order dated 14.09.2012 made in Naka.No.2284/2011/A2/U.E.(U) passed by the first respondent herein and quash the same and further direct the first respondent to conduct an enquiry in accordance with law by giving opportunity of personal hearing to the parties.

For Petitioner

... Mr.J.Nandagopal

For Respondents

... Mr.R.S.Selvam,
Government Advocate for R1 & R2
Mr.S.Senthil Kumar
for M/s.Star Associates for R3 & R4

O R D E R

The relief sought for in this writ petition is to call for the records in relation to the order passed by the District Collector in proceeding dated 14.09.2012 made in Na.Ka.No.2284/2011/A2/U.E.(U).

2. The learned counsel for the writ petitioner states that the complaint of the writ petitioner in respect of certain encroachments of Government lands has not been properly enquired into by the District Collector. Pursuant to the order passed by this Court in W.P.No.17175 of 2011, the Collector has passed the impugned order and the same has been passed without conducting any full fledged enquiry by providing opportunity to the parties, thus the petitioner is constrained to move the present petition.

3. The learned counsel appearing on behalf of the respondents 3 & 4 opposed the contention of the learned counsel for the writ petitioner by stating that the writ petitioner is going on litigating the issue only on certain personal vengeance and on certain political reasons. The respondents 3 & 4 have not encroached any public lands.

4. The learned Government Advocate also states that the Collector has verified the revenue records and after obtaining an inspection report from the Tahsildar and Block Development Officer concerned, the impugned order has been passed by stating that the respondents 3 & 4 have not encroached the Government lands. Thus, the writ petitioner has not established any acceptable ground for the purpose of interfering with the order passed by the District Collector in this regard.

5. Accordingly, the writ petition stands dismissed. No costs. Consequently connected miscellaneous petition is also closed.

Sd/-

Deputy Registrar

// True Copy//

सत्यमेव जयते

Sub Assistant Registrar

dpq

To

1. The District Collector
Collector Office,
Tiruvarur.

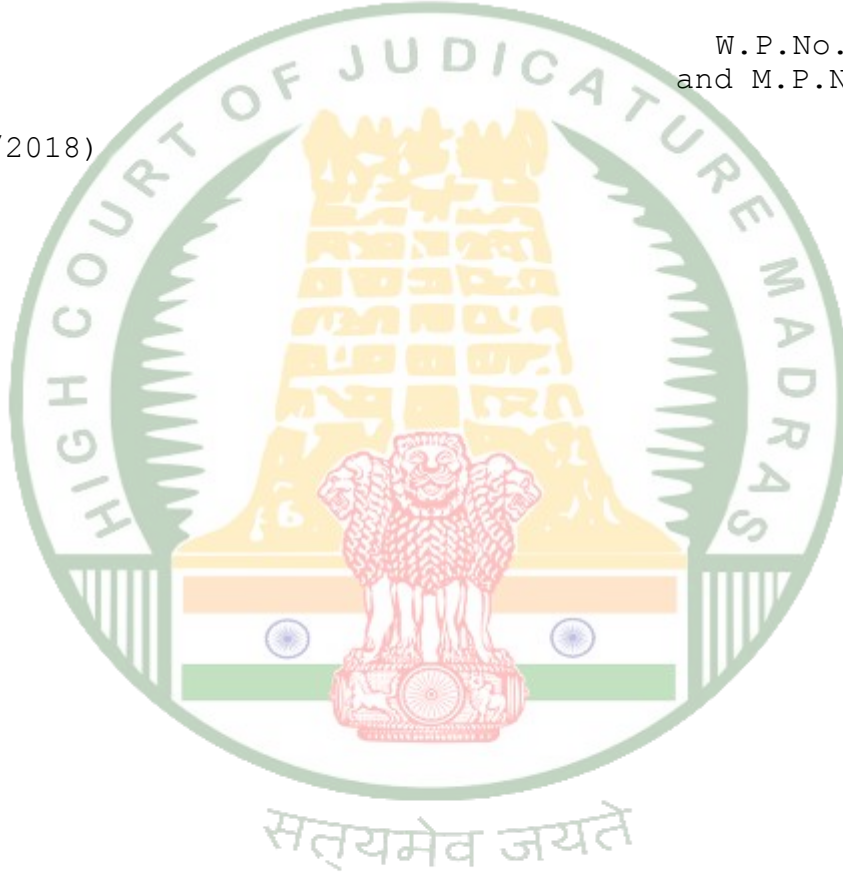
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2. The Block Development Officer,
Panchayat Union Office,
Tiruvavarur.

+1cc to Mr.J.Nandagopal, Advocate SR.No.60311
+1cc to M/s.Star Associates, Advocate SR.No.60733
+1cc to Government Pleader SR.No.60614
+1cc to Mr.R.S.Selvam, Advocate, sr. no.60766

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RMP (28/09/2018)



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