



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WEB COPY

WP (MD) No.2251 of 2018

and

W.M.P.(MD).Nos.2462 & 2463 of 2018

A.Vasanthi

... Petitioner

Vs.

1.The District Collector,
Theni District.

2.The Tahsildar,
Uthamapalayam Taluk,
Theni District.

3.The Block Development Officer,
Cumbum Panchayat Union,
Cumbum, Theni District.

4.The Executive Officer /
Block Development Officer,
(Village Panchayats)
Angurpalayam Panchayat,
Panchayat Union Office,
Cumbum, Theni District.

... Respondents

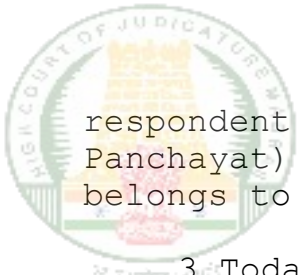
Petition filed under Article 226 Constitution of India to issue a Writ of Certiorari, calling for the records relating with the impugned auction notice dated 30.01.2018 issued by the 4th respondent, relating with the auctioning of right to pluck the fruits in the Tamarind trees in S.No.608 in Surulipatti Village in Uthamapalayam Taluk in Theni District and quash the same.

For Petitioner : Mr.R.Suriyanarayanan

For Respondents : Mr.Rajarajan
Government Advocate

ORDER

The petitioner has challenged the impugned auction notification dated 30.01.2018 issued by the fourth respondent to pluck the fruits in the Tamarind Trees in Survey No.608 in Surulipatti Village in Uthamapalayam Taluk in Theni District.



respondent Executive Officer/Block Development Officer(Village Panchayat) has no right to conduct auction for the property, which belongs to the Government.

3.Today, on instructions, the learned Government Advocate produced the Adangal before this Court, which shows that the property belongs to the fourth respondent Village Panchayat and the possession also handed over to the fourth respondent by the Government. Pursuant to the same, the auction is being conducted by the fourth respondent.

4.Since the property has been handed over to the fourth respondent Executive Officer/Block Development Officer(Village Panchayat)only has power to conduct auction and there is no illegality in it. Hence, this writ petition is dismissed. However, the petitioner is at liberty to participate in the auction being conducted by the fourth respondent. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Theni District.
- 2.The Tahsildar,
Uthamapalayam Taluk,
Theni District.
- 3.The Block Development Officer,
Cumbum Panchayat Union,
Cumbum, Theni District.
- 4.The Executive Officer /
Block Development Officer,
(Village Panchayats)
Angurpalayam Panchayat,
Panchayat Union Office,
Cumbum, Theni District.

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NS