



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P. (MD) No.4496 of 2018

and

W.M.P. (MD) Nos.4600 to 4602 of 2018

A.Rajendran

... Petitioner

-vs-

1. The District Collector,
Collectorate Campus,
Dindigul,
Dindigul District.

2. The Commissioner,
Corporation Office,
Dindigul,
Dindigul District.

3. The Tahsildar,
O/o.The Tahsildar (East),
Kullanampatty, Natham Road,
Dindigul, Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorari, calling for the records relating to the impugned order made by the 3rd respondent in his Public Notice No.Nil dated 21.02.2018 and quash the same as illegal.

For Petitioner : Mr.P.Nawazkhan
for M/s.Ajmal Associates

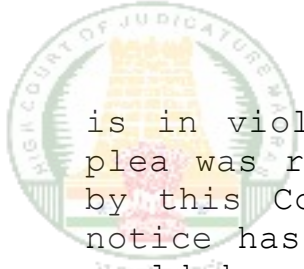
For Respondents : Mr.V.R.Shanmuganathan, Spl.G.P.
For R1 and 3
Mr.J.Lawrance for R2

O R D E R

(Order of the Court was made by T.S.SIVAGNANAM, J.)

Heard Mr.P.Nawazkhan, for M/s.Ajmal Associates, learned counsel for the petitioner and Mr.V.R.Shanmuganathan, learned Special Government Pleader appearing for the respondents 1 and 3 and Mr.J.Lawrance, learned counsel appearing for the second respondent.

2.The learned Special Government Pleader submitted that the third respondent has issued a public notice directing the eviction on the petitioner and the action initiated by the third respondent



is in violation of the principles of natural justice. The same plea was raised in W.P.(MD) No.4241 of 2018, which was disposed of by this Court by order dated 28.02.2018 stating that individual notice has to be given to the encroachers. Though the respondent would be justified in giving public notice also, Mr.J.Lawrance, learned counsel for the second respondent, on instructions, submitted that the revenue officials, on the direction of the third respondent, have removed the encroachment made by the petitioner, which is on the tank bund.

3.The learned counsel for the second respondent further submitted that the petitioner had filed a suit to restrain the authorities from evicting him which prayer was rejected and the petition was dismissed, against which the petitioner preferred civil miscellaneous appeal before the lower appellate Court in which there was an interim order for a brief period and the said civil miscellaneous appeal was also dismissed.

4.Recording the above said submission, the writ petition stands closed. No costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Collectorate Campus,
Dindigul,
Dindigul District.
2. The Tahsildar,
O/o.The Tahsildar (East),
Kullanampatty, Natham Road,
Dindigul, Dindigul District.

+1cc to Spl.Government Pleader Sr.No.53036

+1cc to M/s.Ajmal Associates Sr.No.52748

RAUL

VB/SV/MMS/SAR3/16/03/2018/2P/5C

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and

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