



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2018

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THE HONOURABLE **MR. JUSTICE M. GOVINDARAJ**

W.P. (MD) No.14160 of 2018

and

W.M.P. (MD) No.12845 of 2018

Veluchamy

... Petitioner

/Vs./

1. The District Collector,
Trichy,
Trichy District.

2. The Revenue Divisional Officer,
Musiri,
Trichy District.

3. Pannaikaran

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the 2nd respondent to evict the Petitioner without conducting proper enquiry and pass appropriate order considering petitioner's explanations.

For Petitioner : Mr.K.Govindarajan

For R-1 & R-2 : Mr.N.Shanmugaselvam
Additional Government Pleader

O R D E R

The petitioner was the owner of the land in Survey No.149/3A, Araichi Village, Musiri Taluk, Trichy District. On request made by the Revenue Department, the petitioner's family permitted them to dig a channel across their land, facilitating irrigation to all the lands in the village. The petitioner's family had given the land without taking any compensation. Considering the attitude and conduct of the petitioner, the respondents have allotted 50 cents, in Survey No.164/2 of the same village, in exchange. The petitioner have been enjoying it for the past 30 years. Now, on the instigation of certain vested interest, the revenue officials are seeking to evict the petitioner from that land. Hence, the petitioner made a representation to the respondents. Pursuant to



the same, an enquiry was conducted on 02.04.2018 by the Revenue Divisional Officer. However, it is the grievance of the petitioner that the enquiry was not properly conducted and the revenue official has not given an opportunity and he is disturbing his possession.

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2. Considering the facts and circumstances of the case, a direction is issued to the second respondent / Revenue Divisional Officer, Musiri, Trichy District, to conduct fair and proper enquiry, after affording opportunity to the petitioner to make his submissions and pass orders within a period of three months from the date of receipt of a copy of this order. Till such time, the respondents are directed to maintain status quo as on today.

3. With the above direction, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(Writ)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Trichy, Trichy District.
2. The Revenue Divisional Officer,
Musiri, Trichy District.

+ 1 cc TO Mr.K.Govindarajan , Advocate in SR No. 70834

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AE/SV/SAR2/16.07.2018/2P/4C

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