



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **31.08.2018**

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**

AND

THE HONOURABLE MR.JUSTICE **N.SATHISH KUMAR**

W.P.[MD].No.18980 of 2018

and

W.M.P. (MD) Nos.16815 and 16816 of 2018

K.Muthu

: Petitioner

Vs.

1. The Revenue Divisional Officer / Sub Collector,
Palani,
Dindigul District.

2. The Tahsildar,
Taluk Office,
Palani,
Dindigul District.

3. The Executive Officer,
Town Panchayat,
Ayakudi,
Palani Taluk,
Dindigul District.

4. The Director of School Education,
Chennai - 6.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned notice in Na.Ka.No.6086/2016/A6 dated 25.06.2018 issued by the first respondent and quash the same and further direct the respondents not to disturb the petitioner's V.O.C., Nursery and Primary School in Natham S.Nos.1737, 1738 and 1739, Old Ayakudi, Palani Taluk.

For Petitioner : Ms.T.Uma Maheswari

For Respondents : Mr.V.R.Shanmuganathan,
Special Govt. Pleader

O R D E R

[Order of the Court was made by **M.M.SUNDRESH, J.**]

What has been challenged in this writ petition is the communication sent by the first respondent to the third respondent to carry out the encroachment, if any and to file a report.



2.A perusal of the aforesaid order dated 25.06.2018, shows that it is only a communication sent to the third respondent by the first respondent. Therefore, if any action is taken against the petitioner on the premise that he is an encroacher, then, necessarily, he should be put on notice.

3. Accordingly, the writ petition is disposed of with a direction that in the event of any action is taken against the petitioner by the respondents 1 to 3, he should be put on notice and thereafter, final order has to be passed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The Revenue Divisional Officer / Sub Collector,
Palani,
Dindigul District.
2. The Tahsildar,
Taluk Office,
Palani,
Dindigul District.
3. The Executive Officer,
Town Panchayat,
Ayakudi,
Palani Taluk,
Dindigul District.
4. The Director of School Education,
Chennai - 6.

+1cc to Mr.T.S.R.Venkataramana, Advocate Sr.No.81503

+1cc to Spl.Government Pleader Sr.No.81913

MM/NB

VB/SKN/SAR1/24.09.2018/2P/7C

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