

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2019

CORAM :

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.16145 of 2016
and W.M.P.Nos.13942 & 13943 of 2016

Madurai Achari

... Petitioner

Vs.

- 1.N.Ganesan Achari
- 2.G.Purushothaman
- 3.The Block Development Officer,
Block Development Office,
Illanthur Panchayat Union,
Cheyyur, Kancheepuram District.

- 4.The Executive Officer,
Cheyyur Panchayat,
Kancheepuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of certiorari to call for the records relating to the impugned order Na.Ka.1298/2015/A3 dated 15.09.2015 passed by the 3rd respondent on the file of the 3rd respondent including the proceedings dated 18.08.2015 and to quash the same.

For Petitioner : Mr.K.Moorthy

O R D E R

(Order of the Court made by M.DURAI SWAMY, J.)

The petitioner has filed the Writ Petition to issue a Writ of certiorari to call for the records relating to the impugned order dated 15.09.2015 passed by the 3rd respondent including the proceedings dated 18.08.2015 and to quash the same.

2.By letter dated 15.09.2015, the 3rd respondent had requested the 4th respondent to remove the encroachment in Survey No.870/11 in Cheyyur Village.

3.The learned counsel appearing for the petitioner submitted that even without marking a copy to the petitioner, the communication has been sent by the 3rd respondent to the 4th respondent.

4.However, Mr.V.Jayaprakash Narayanan, learned Government Pleader (i/c) submitted that the communication dated 15.09.2015 is only an internal communication between the respondents 3 & 4 and the respondents 3 & 4 would proceed to remove the encroachment only after issuing notice to the encroachers.

5.The learned counsel appearing for the petitioner submitted that the submission made by the learned Government Pleader (i/c) may be recorded and the Writ Petition may be disposed of.

6.In view of the submissions made by the learned counsel on either side, since the respondents 3 & 4 will remove the encroachment only after issuing notice to the petitioner, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Block Development Officer,
Block Development Office,
Illanthur Panchayat Union,
Cheyyur, Kancheepuram District.

2.The Executive Officer,
Cheyyur Panchayat,
Kancheepuram District.

+1 cc to Mr.K.Moorthy, Advocate SR.No.4662

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PM(CO)
CSL/11.02.2019