

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2019

CORAM :

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

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.9916 of 2019 and

W.M.P.No.10497 of 2019

Selvaraj

... Petitioner

v.

The Block Development Officer
Annagramam Panchayat Union,
Panrutti Taluk, Cuddalore District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue of Writ of Certiorari to call for the records on the file of the respondent in Na.Ka.No.AA4/0157/19 dated 25.03.2019 served on the petitioner on 28.03.2019 with reference to Serial No.1 and quash the same as erroneous, unlawful and one issued without jurisdiction.

For petitioner : Mr.V.Raghavachari
for Ms. M.Himavanth

For respondent : Mr.S.Kamalesh Kannan
Government Advocate

ORDER

(ORDER OF THE COURT WAS MADE BY M.DURAI SWAMY, J.)

The petitioner has filed the above Writ Petition to issue a Writ of Certiorari to call for the records on the file of the respondent dated 25.03.2019 served on the petitioner on 28.03.2019 with reference to Serial No.1 and to quash the same.

2. The petitioner has challenged the notice dated 28.03.2019 issued by the respondent in this Writ Petition.

3. Mr.S.Kamalesh Kannan, learned Government Advocate, appearing for the respondent submitted that by letter dated 02.04.2019, the respondent had informed him that the notice

dated 25.03.2019 is only a show cause notice and that the encroachment in respect of Survey Nos.190/2 and 190/3 by the petitioner would be removed only after following the procedures laid down under the Tamil Nadu Land Encroachment Act, 1905. The learned Government Advocate also submitted that since the notice dated 25.03.2019 is only a show cause notice, no action will be taken on the said notice and that the encroachment would be removed only after issuing notice under the Tamil Nadu Land Encroachment Act. The learned Government Advocate also produced the letter dated 02.04.2019 sent by the respondent to him.

4. In these circumstances, we do not find any reason to keep the Writ Petition pending. Recording the submission made by the learned Government Advocate, the Writ Petition is closed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

Rj

To

The Block Development Officer
Annagramam Panchayat Union,
Panrutti Taluk, Cuddalore District.

+1cc to Mr.P.Vasanth, Advocate SR.No.32971

W.P. No.9916 of 2019 and
W.M.P.No.10497 of 2019

SPD (CO)
GMY (25/04/2019)

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