

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2019

CORAM

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.11319 of 2019

K.Haridoss

.. Petitioner

Vs

The Special Officer
Singaperumal Koil Panchayat
Block Development Officer
Kattangulathur Union
Kancheepuram District.

.. Respondent

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the records relating to the order passed by the respondent herein in Na.Ka.No.4793/2018/A1, dated 15.03.2019, to quash the same and issue consequential direction directing the respondent herein not to dispossess the petitioner herein from the Survey No.120/2, Thirutheri Village, Chengalpattu Taluk, Kancheepuram District, without complying the principles of natural justice.

For Petitioner : Mr.G.Mageshkumar

For Respondent : Mr.S.Kamalesh Kannan
Government Advocate

ORDER

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

In this writ petition, the petitioner has challenged the impugned notice dated 15.3.2019 issued by the respondent and sought for consequential direction directing the respondent not to dispossess the petitioner from the land in Survey No.120/2, Thirutheri Village, Chengalpattu Taluk, Kancheepuram District, without complying the principles of natural justice.

2. By the impugned notice dated 15.3.2019, the respondent called upon the petitioner to vacate the encroached portion of the land, failing which it was stated that action will be initiated under Section 131(2) of the Tamil Nadu Panchayats Act, 1994.

3. The respondent filed a counter affidavit, wherein it is stated that after issuance of the impugned notice under Section 131(2) of the Tamil Nadu Panchayats Act, 1994, if the petitioner fails to vacate the encroached land, the respondent would proceed to evict the petitioner under the provisions of the Tamil Nadu Land Encroachment Act, 1905.

4. Mr.Kamalesh Kannan, learned Government Advocate appearing for the respondents submitted that the petitioner would be vacated only after following the provisions of the Tamil Nadu Land Encroachment Act, 1905.

5. The learned counsel for the petitioner submitted that the above submission of the learned Government Advocate may be recorded and the writ petition may be closed.

In view of the above, the writ petition is disposed of by recording the submission of the learned Government Advocate that only after following due process of law, further action will be taken by the respondent. No costs. Consequently, W.M.P.No.11652 of 2019 is closed.

s/d-

Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

sasi

To:

The Special Officer
Singaperumal Koil Panchayat
Block Development Officer
Kattangulathur Union
Kancheepuram District.

+1 CC to Mr.G.Mageshkumar, Advocate sr 66651.

+1 CC to Govt. Pleader sr 66361

W.P.No.11319 of 2019

PVS (CO)
SP(26/08/2019)