

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.12.2019

Coram

The Hon'ble Mr.Justice R.Subbiah
and
The Hon'ble Mr.Justice R.Pongiappan

Writ Petition Nos.34705 & 34709 of 2019
and
W.M.P.Nos.35460, 35461, 35465 & 35467 of 2019

1.Lakshmanan ..Petitioner in W.P.No.34705 of 2019

2.Karuppasamy ..Petitioner in W.P.No.34709 of 2019

Vs.

1.The Tahsildar,
Palladam,
Tirupur District.

2.Nagarathinam ...Respondents in both W.Ps.

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned notice dated 06.12.2019 issued by the first respondent and quash the same as illegal and consequently restraining the respondents not to disturb the petitioners' land and building in Survey No.870/14, Vadamalaigounder Lane, Pachapalayam, Naranapuram Village, Palladam Town and Taluk, Tiruppur District.

For Petitioners : Mr.L.Balachandran
in both W.Ps.

For Respondents : Mr.V.Shanmugha Sundar for R1
in both W.Ps. Special Government Pleader

C O M M O N O R D E R

[Order of the Court was made by R.SUBBIAH,J]

The petitioners have filed the above Writ Petitions praying for issuance of a Writ of Certiorarified Mandamus, to

call for the records relating to the impugned notice dated 06.12.2019 issued by the first respondent and quash the same as illegal and consequently restraining the respondents not to disturb the petitioners' land and building in Survey No.870/14, Vadamalaigounder Lane, Pachapalayam, Naranapuram Village, Palladam Town and Taluk, Tiruppur District.

2. Heard Mr.T.Balachandran, learned counsel for the petitioners and Mr.V.Shanmugha Sundar, learned Special Government Pleader for the first respondent.

3. The contention of the petitioners is that without issuing a notice under Section 7 of the Land Encroachment Act, directly the first respondent issued a notice under Section 6 of the said Act.

4. Today, when the matter is taken up for hearing, the learned Special Government Pleader submitted that wrongly notice under Section 6 of the said Act has been issued and they will withdraw the same and proceed the matter in accordance with law.

5. Recording the said submission made by the learned Special Government Pleader, the Writ Petitions are disposed of. No costs. Consequently, connected Miscellaneous petitions are also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The Tahsildar,
Palladam,
Tirupur District.

+2cc to Mr.T.Balachandran, Advocate Sr.104459, 104458

Writ Petition Nos.34705 & 34709 of 2019
and W.M.P.Nos.35460, 35461,
35465 & 35467 of 2019

rsv[co]
srg 30/01/2020