

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2019

CORAM

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

W.P.No.34677 of 2018  
and  
WMP Nos.40223 and 40225 of 2018

Palaniveal .. Petitioner

Vs.

- 1 The District Collector  
Collector Office Road  
Moovendar Nagar  
Villupuram - 605 602.
- 2 The Block Development Officer  
Kandasamy Puram  
Menachipuram, Ulundurpet  
Villupuram - 606 107.
- 3 The Thasildhar  
Menachipuram, Ulundurpet  
Villupuram - 606 107. .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of certiorari directing the respondent to call for the records on the file of the order passed by the second respondent in Na.Ka.A2/3120/2018, dated 27.11.2018 and quash the same.

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For Petitioner : Mr.Ashvathaman

For Respondents : Mr.V.Jayaprakash  
Narayanan  
Government Pleader (i/c.)

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The petitioner being aggrieved by the notice dated 27.11.2018 has approached this Court. Notice is in relation to encroachment at Kunnathur Panchayat, Survey No.271, which is a water body.

2. We have gone through the said notice. The notice does not mention the relevant sections or the Act under which the said notice is issued.

3. Thus, it is seen that the notice is bereft of any material particulars. In this view of the matter, we set aside the said notice. It would be open to the respondents to issue a fresh notice to the petitioner in relation to the alleged encroachment put up by the petitioner on the water body, indicating the relevant sections and the Act under which the notice is being issued and other necessary particulars.

The writ petition is allowed in the above terms. No costs. Consequently, W.M.P.Nos.40223 and 40225 of 2018 is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sasi

To:

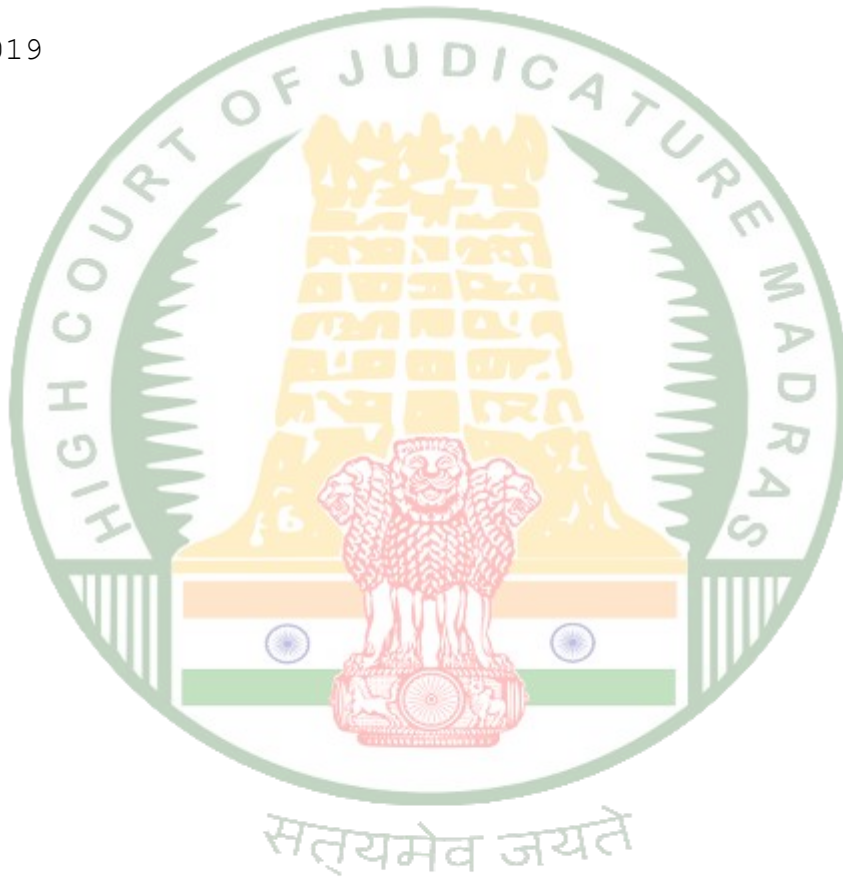
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+1cc to Mr.A.Ashvathaman, Advocate Sr.13926  
+1cc to the Government Pleader Sr.14580

W.P.No.34677 of 2018

pm[co]  
srg 7/3/2019



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