



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
AND
THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)NO.14038 OF 2019

and

W.M.P(MD)Nos.10511 and 10512 of 2019

D.Selvan

:Petitioner

.vs.

The Executive Officer,
Tisayanvilai Selection Grade Panchayat,
Tisayanvilai,
Tirunelveli District.

: Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records relating to the impugned eviction order passed by the respondent in Na.Ka.No.61 of 2018, dated 14.6.2019 and quash the same.

For Petitioner

:Mr.R.Balakrishnan

For Respondent

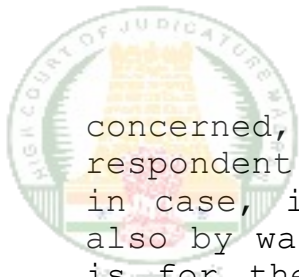
:Mr.M.Karuppasamy
Govt.Advocate

O R D E R

[Order of the Court was made by **K.RAVICHANDRABAABU., J.**]

This Writ Petition is filed challenging the eviction notice issued on 14.6.2019, wherein and whereby, the Petitioner was called upon to remove the encroachment in S.No.17/3, Indra market, Thisayanvilai.

2.Today, we have disposed two Writ Petitions in W.P(MD)Nos.7989 and 7291 of 2018 by passing a separate common order in which also the subject-matter property is situated in S.No.17 of Thisayanvilai. We have directed the Tahsildar concerned to conduct a survey and identify the properties as to whether the said property is in possession of the private individuals by way of encroachment or not. The present impugned notice issued on the Writ Petitioner also is in respect of one such alleged encroachment. Therefore, We are of the view that, after the completion of the survey by the Tahsildar



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concerned, as directed in other two Writ Petitions, it is for the respondent herein to issue a fresh notice to the Petitioner herein, in case, it is found that the possession of the Petitioner is also by way of encroachment. If any such notice is issued, then it is for the Petitioner to give explanation/objection to the said notice.

3.With the above observations, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

vsn

To

The Executive Officer,
Tisayanvilai Selection Grade Panchayat,
Tisayanvilai,
Tirunelveli District.

ORDER MADE IN
W.P (MD) NO.14038 OF 2019
and
W.M.P (MD) Nos.10511 and
10512 of 2019
06.08.2019

CS(28.08.2019) 2P 2C