



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2019

CORAM:

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE Mrs. JUSTICE R.THARANI

Writ Petition (MD).No.20851 of 2019

and

W.M.P. (MD) No.17433 of 2019

N.Rajendran

... Petitioner

Vs.

1.The District Collector,
Collectorate Building,
Thanjavur District.

2.The Tahsildar,
Pattukkottai Taluk,
Pattukkottai,
Thanjavur District.

3.The Commissioner,
Pattukkottai Municipality,
Pattukkottai Taluk,
Thanjavur District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of a Writ of Certiorari, calling for the records pertaining to the impugned final notice passed by the third respondent vide his proceedings in Na.Ka.No.1064/2005/F1, dated 16.09.2019 and quash the same as illegal without jurisdiction.

For Petitioner : Mr.A.C.Asaithambi

For Respondents 1 and 2 : Mr.S.Angappan, GA

For 3rd Respondent : Mr.J.Gunaseelan Muthiah, St. Cl.

ORDER

(Order of the Court was made by **T.S.SIVAGNANAM, J**)

Heard Mr.A.C.Asaithambi, learned counsel appearing for the petitioner, Mr.S.Aagappan, learned Government Advocate appearing for the respondents 1 and 2 and Mr.J.Gunaseelan Muthiah, learned standing counsel appearing for the third respondent.

2.The petitioner is aggrieved by the notice issued by the third respondent dated 16.09.2019, directing the petitioner to remove the encroachment, which is by way of common wall put up by



3. According to the third respondent, the petitioner has blocked the entrance of Anganwadi building and the fair price shop building. The notice states that within three days, the petitioner should remove the encroachment. Admittedly, three days has already been over and the petitioner has also given a reply on 20.09.2019.

4. We direct the third respondent to conduct the survey of the area in the presence of the petitioner and the petitioner shall extend his co-operation for the survey. Based on the survey, the boundary shall be marked. If there is any encroachment, immediately the same shall be removed.

4. With the above directions, this writ petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

mrn/Ns

To

1. The District Collector,
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Thanjavur District.

2. The Tahsildar,
Pattukkottai Taluk,
Pattukkottai,
Thanjavur District.

3. The Commissioner,
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Pattukkottai Taluk,
Thanjavur District.

+1 CC to M/s.A.C.ASAITHAMBI, Advocate (SR-89672[F] dated 26/09/2019)

+1 CC to M/s.GP (SR-90266[F] dated 27/09/2019)

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KM/ (04.11.2019) 2P 6C