



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P (MD) No.23453 of 2019

and

W.M.P. (MD) No.20099 of 2019

Selvam

.. Petitioner

Vs.

1.The District Collector,
Sivagangai District.

2.The Tahsildar,
Thirupathur Taluk,
Sivagangai District.

3.The Block Development Officer,
(Village Panchayat),
Thirupathur Taluk,
Sivagangai District.

4.Ponnammal

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, to call for the records pertaining to the proceedings in Na.Ka.P.3/2432/2017, dated 08.05.2019 on the file of the third respondent and quash the same as illegal.

For Petitioner : Mr.P.Sepana @ Sree

For R1 and R2 : Mr.S.Angappan
Government Advocate

For R3 : Mr.J.Gunaseelan Muthiah
Additional Government Pleader



ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.Mr.P.Sepana @ Sree, learned counsel appearing for the petitioner, Mr.S.Angappan, learned Government Advocate, appearing for the first and second respondents, and Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader for the third respondent.

2. The petitioner has filed this writ petition challenging the notice issued by the Block Development Officer, Thirupathur Taluk, dated 08.05.2019 and the impugned notice has been served on the wife of the petitioner. It was earlier challenged in W.P.(MD) No.12643 of 2019, which was disposed of by an order, dated 29.05.2019. Now, the petitioner is before this Court contending that patta has been granted to the petitioner under the pre housing scheme and it is he, who is entitled to challenge the impugned notice and therefore, the petitioner seeks for dispensing with the production of the original notice on the ground that it has not been served on him.

3. Admittedly, notice was issued to the petitioner's wife and she was not successive in getting the notice set aside. Therefore, now the petitioner cannot commence a second round of litigation. Hence, we are not inclined to entertain this writ petition and the third respondent is directed to proceed further as awarded in the impugned notice.

4. With the above observation, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Sivagangai District.

2.The Tahsildar,
Thirupathur Taluk,
Sivagangai District.



3.The Block Development Officer,
(Village Panchayat),
Thirupathur Taluk,
Sivagangai District.

+1CC TO MR.P.SEPANA @ SREE, Advocate Sr. No.96778
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.96937

W.P (MD) No.23453 of 2019
07.11.2019

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