



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P.[MD]No.21974 of 2019

and

W.M.P.[MD]No.18734 of 2019

S.R.Soundararajan

: Petitioner

Vs.

The Block Development Officer,
Sethubavachatiram Village Panchayat,
Thanjavur District.

: Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorari, calling for the records pertaining to the impugned order dated 16.09.2019 of the respondent in Na.Ka.No.2044/2019/A3 and quash the same.

For Petitioner

: Mr.J.Anandkumar

For Respondent

: Mr.S.Angappan

Government Advocate

O R D E R

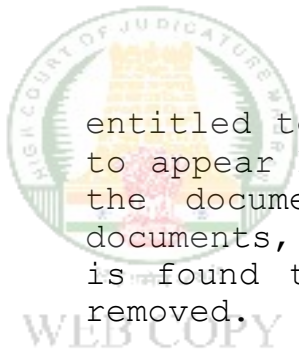
[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2.Heard Mr.J.Anandkumar, learned Counsel appearing for the petitioner and Mr.S.Angappan, learned Government Advocate appearing for the respondent.

3.The petitioner is aggrieved by the notice issued by the respondent dated 16.09.2019, wherein the respondents have stated that the petitioner has encroached the water body.

4.The case of the petitioner is that he is in possession of the land for 60 years and cultivated coconut trees. Though such is the plea raised in the writ petition, there is no patta or any other document to substantiate the same. Therefore, the contention raised in this petition is rejected. However, the impugned notice gives the petitioner only two days time. We are of the view that the petitioner is granted atleast 7 days time to appear before the court to produce the documents to establish that he is



entitled to be an occupant. Accordingly, the petitioner is directed to appear before the first respondent on **11.11.2019** and produce all the documents to substantiate his claim. After considering the documents, the respondents shall take appropriate action and if it is found that it is an encroachment, the same shall be forthwith removed.

5. With the above direction, the Writ Petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar(CS)

MR

To
The Block Development Officer,
Sethubavachatiram Village Panchayat,
Thanjavur District.

+1CC TO MR.J.ANAND KUMAR, Advocate Sr. No. 92423

Order made in
W.P.[MD]No.21974 of 2019
Dated: **17.10.2019**

SGS(CO)
TR(25.10.2019) 2P 3C