



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2019

CORAM:

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE Mrs.JUSTICE R.THARANI

W.P. (MD) .No.24172 of 2019

and

WMP (MD) No.20763 of 2019

Good News Society,
Rep.by its President,
I.Chellamani Irulappan

... Petitioner

Vs.

1.The District Collector,
O/o.The District Collector,
Virudhunagar.

2.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

3.The Tahsildhar,
Srivilliputhur Taluk,
Virudhunagar District.

4.The Block Development Officer,
Srivilliputhur Panchayat Union,
Srivilliputhur,
Virudhunagar District.

5.Athikulam-Chenkulam Village Panchayat,
Rep. by the Special Officer,
Srivilliputhur Taluk
Virudhunagar District.

... Respondents

PRAYER: This petition is filed under Article 226 of the Constitution

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of India, to issue a Writ of Mandamus, forbearing the respondents 1 to 5 from evicting the petitioner from the building in S.No.246/1, Athikulam-Chenkulam Village, Srivilliputhur Taluk, Virudhunagar District, without following due process of law.

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For Petitioner	: Mr.T.Lajapathi Roy
For Respondents (R1 to R3 & R5)	: Mr.A.K.Baskarapandian Spl.Govt.Pleader
For Respondent-4	: Mr.P.Kannidevan, Addl.Govt.Pleader

O R D E R

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

We have heard Mr.T.Lajapathi Roy, learned counsel for the petitioner, Mr.A.K.Baskarapandian, the learned Special Government Pleader for R1 to R3 & R5 and Mr.P.Kannidevan, learned Additional Government Pleader for R4.

2. Petitioner is a Society, registered under the Tamil Nadu Societies Registration Act, consisting of members, who are weavers. The petitioner is before this Court apprehending forceful eviction of the Society from the building in Survey No.246/1 Athikulam-Chenkulam Village, Srivilliputhur Taluk, Virudhunagar District.

3. It appears that action has been initiated by the authorities pursuant to Public Interest Litigation filed before this Court in W.P.(MD)No.16489 of 2019, dated 24.07.2019, wherein action was directed to initiate by the Deputy Tahsidlar, Sriviliputhur, Revenue Inspector, Srivilliputhur, Village Administrative Officer, Athikulam-Chenkulam Village and Firka Surveyor, Srivilliputhur, pursuant to a Memo, dated 11.01.2019, issued by the Tahsildar, Sriviliputhur.

4. It is submitted by the learned Special Government Pleader that pursuant to the said direction, survey has been conducted. Thus, as on date, it is clear that the respondents have not issued any notice to the petitioner to evict them from the property in question,. Therefore, the petitioner need not apprehend any forceful eviction. We make it clear that in the event, any action is to be initiated, the same should be done only after issuing notice to the petitioner and granting them reasonable opportunity.



5. With the above observation, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

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// True Copy //

Sd/-

Assistant Registrar (CO)

Sub Assistant Registrar (CS)

MPK

To

1. The District Collector,
O/o. The District Collector,
Virudhunagar.
2. The District Revenue Officer,
Virudhunagar District,
Virudhunagar.
3. The Tahsildhar,
Srivilliputhur Taluk,
Virudhunagar District.
4. The Block Development Officer,
Srivilliputhur Panchayat Union,
Srivilliputhur,
Virudhunagar District.
5. The Special Officer,
Athikulam-Chenkulam Village Panchayat,
Srivilliputhur Taluk
Virudhunagar District.

+1 CC to M/s.GP (SR-98853[F] dated 15/11/2019)

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-99352[F] dated 19/11/2019)

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KK/SAR/06.12.2019/3P-8C/