

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.11791 of 2020
and W.M.P.No.14505 of 2020

Mrs.Hyru Nisa

... Petitioner

-Vs-

1. The District Collector
Office of the District Collector
7/1, State Bank Road,
Gopalapuram, Coimbatore
Tamil Nadu - 641 018.
2. The Land Acquisition Officer / Tahsildar
Taluk Office (Coimbatore South)
Huzur Road, Opp.Court, Gopalapuram
Coimbatore, Tamil Nadu - 641 018.
3. The Revenue Divisional Officer
Taluk Office (Coimbatore South)
Huzur Road, Opp.Court, Gopalapuram
Coimbatore, Tamil Nadu - 641 018.

... Respondents

Prayer : Writ Petition 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 impugned final notice dated 21.07.2020 vide Ref.No.Na.Ka.No.2789/2020/A5 issued by the 2nd respondent to the petitioner and to quash the same.

For Petitioner : Mr.S.A.Arfat Mohammed

For Respondents: Mr.E.Manoharan,
Special Government Pleader

O R D E R

This writ petition has been filed challenging the alleged notice issued by the second respondent dated 21.07.2020, seeking to acquire the property belonging to the petitioner.

2. The case of the petitioner is that notice has been issued even without stating under what provision the land is going to be acquired and the notice has been challenged questioning the authority and jurisdiction to issue such a notice.

3. Mr.E.Manoharan, learned Special Government Pleader appearing on behalf of the respondents forwarded the written instructions received by him from the District Collector, Coimbatore. It is seen from the instructions that no such notice was issued from the office of the second respondent and it is found to be a fake notice. It is further stated that steps are being taken to initiate criminal proceedings to investigate as to who is behind the issuance of this fake notice.

4. In view of the specific stand by the respondents, the apprehension raised by the petitioner has been answered and it is clear that no such acquisition proceedings has been initiated by the respondents.

5. This writ petition is disposed of with a direction to the first respondent to collect the original notice and the cover received by the petitioner and proceed further to investigate and find the culprit behind the fake notice. Appropriate criminal proceedings shall also be initiated in order to ensure that such a new racket does not develop in the State.

6. The Writ Petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

7. Registry is directed to return back the original impugned notice and also the original cover to the learned counsel for the petitioner to enable the petitioner to hand over the same to the District Collector.

सत्यमेव जयते

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

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+lcc to M/s.S.Arif Mohammed, Advocate, Sr.No.28623

W.P.No.11791 of 2020
& W.M.P.No.14505 of 2020

spd (co)
rr ii (18/09/2020)



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