



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2020

CORAM:

**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
and
THE HONOURABLE MR.JUSTICE T.RAVINDRAN**

**W.P. (MD) No.2571 of 2020
and
W.M.P. (MD) No.2209 of 2020**

Ponmani

... Petitioner

-vs-

1.The District Collector
Kanyakumari District

2.The Tahsildar
Agasteeshwaram Taluk
Kanyakumari District

3.The Revenue Inspector
Suchindhram
Agasteeshwaram Taluk
Kanyakumari District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records of the impugned eviction notice issued by the second respondent, dated 22.01.2020, and quash the same as illegal and consequently forbear the respondents from evicting the petitioner from Re.Sy.No.656/3 of Theroor Village, Agasteeshwaram Taluk, Kanyakumari District.

For Petitioner : Mr.K.P.Narayanakumar

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



O R D E R

[Order of the Court was made by M.DURAISWAMY, J.]

The petitioner has filed the above writ petition to issue a writ of certiorarified mandamus to call for the records of the impugned eviction notice, dated 22.01.2020, issued by the second respondent; to quash the same as illegal and consequently, to forbear the respondents from evicting her from the land comprised in Re.Sy.No.656/3 of Theroor Village, Agasteeshwaram Taluk, Kanyakumari District.

2. When the writ petition is taken up for hearing, Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, who takes notice for the respondents, on instructions from Mr.I.Abdulla Mannan, Tahsildar, Agasteeshwaram Taluk, Kanyakumari District / second respondent, who is also present before this Court, submitted that the petitioner has been evicted from the subject land today (i.e.10.02.2020) morning.

3. Mr.I.Abdulla Mannan, Tahsildar, Agasteeshwaram Taluk, Kanyakumari District / second respondent, who is also present before this Court, submitted that the encroachment made by the petitioner in the subject land has been removed today (i.e.10.02.2020) morning.

4. In view of the submissions made by the learned Additional Government Pleader appearing for the respondents and also the submissions made by the Tahsildar, Agasteeshwaram Taluk, Kanyakumari District / second respondent, who is also present before this Court, the writ petition is closed. However, it is open to the petitioner to challenge the impugned order, dated 22.01.2020, issued by the second respondent, by way of appeal, under Section 10 of the Tamil Nadu Land Encroachment Act, 1905. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To:

1.The District Collector,
Kanyakumari District.

<https://hcservices.ecourts.gov.in/hcservices/>



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2.The Tahsildar,
Agasteeshwaram Taluk,
Kanyakumari District.

3.The Revenue Inspector,
Suchindhram,
Agasteeshwaram Taluk,
Kanyakumari District.

+1 CC to M/s.K.P.NARAYANA KUMAR, Advocate (SR-5641[F]

W.P. (MD) No.2571 of 2020

and

W.M.P. (MD) No.2209 of 2020

10.02.2020

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