



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE N. KIRUBAKARAN

AND

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P. (MD)No.17881 of 2020

and W.M.P. (MD)No.14911 of 2020

WEB COPY

Shenbagavalli

... Petitioner

Vs.

1. The District Collector,
Trichy District.

2. The Tahsildar,
Thottiyam Taluk,
Trichy District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of certiorarified mandamus, to call for the records relating to the impugned notice issued by the 2nd respondent vide Na.Ka.A2/797/2020 dated 09.11.2020 and quash the same as illegal and consequently forbear the respondents from interfering the right of the properties of the petitioner situated in Sy.No.203/3A1, 203/3A2 and 205/1 of Seelaipillaiyar Puthur Village, Thottiyam Taluk, Trichy District.

For Petitioner	:	Mr.A.Balakrishnan
For Respondents	:	Mr.K.Mu.Muthu, Additional Government Pleader

ORDER

[Order of the Court was made by **N. KIRUBAKARAN, J.**]

The petitioner has come before this Court challenging the notice issued by the second respondent alleging that she is an encroacher in Survey No.203/3A1, 203/3A2, 203/2, 205/1, which is classified as a water body.

2. Heard Mr.A.Balakrishnan, learned counsel for the petitioner and Mr.K.Mu.Muthu, learned Additional Government Pleader appearing for the respondents.

3. It is evident from the records that pursuant to the orders passed by this Court in W.P.(MD)No.22359 of 2018 dated 15.11.2019, the impugned notice has been issued.



4. As rightly pointed out by the learned counsel for the petitioner, the petitioner has given reply to the impugned notice, on 19.11.2020, stating that she has got patta and she also produced relevant documents, which show her ownership.

5. When that is the position, the second respondent is directed to consider the reply given by the petitioner on 19.11.2020 and pass appropriate orders, after giving an opportunity to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order. Till such time, the petitioner's possession shall not be disturbed.

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

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The District Collector,
Trichy District.

2. The Tahsildar,
Thottiyam Taluk,
Trichy District.

+1 CC to Mr.A.BALA KRISHNAN, Advocate (SR-24718[F] dated 09/12/2020)

+1 CC to SGP (SR-24850[F] dated 10/12/2020)

W.P. (MD)No.17881 of 2020

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