



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.P. (MD)No.313 of 2021

WMP. (MD) .No.241 of 2021

(Through Video Conferencing)

K.Palvannan

: Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Revenue Divisional Officer,
Usilampatti, Madurai District.

3.The Block Development Officer,
Chellampatti
Madurai District.

4.The Tahsildar,
Usilampatti, Madurai District.

5.The President,
Vickiramangalam Village Panchayat,
Vickiramangalam Panchayat,
Usilampatti Taluk
Madurai District.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Certiorari to call for the records pertaining to the order dated 29.12.2020 passed by the 4th respondent in ந.க.எண்./2020 and quash the same as illegal.

For Petitioner : Mr.M.Ramesh

For Respondents : Mr.K.Mu.Muthu for R1 to R3

Additional Government Pleader

Ms.Rajeswari for R4 & R5

Government Advocate

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

The petitioner along with others were issued eviction notice by the respondent No.4, in and by the proceeding dated 29.12.2020, as they have encroached over a water body.



2.Placing reliance upon the representation made, the learned counsel for the petitioner submitted that the petitioner is too poor and he has been living in the said place for number of years.

3.Though the petitioner does not have a vested right, taking into consideration the fact that he stated to be very poor and he has been living in the said place for number of years, we direct the respondent No.1 to look into the issue and consider the case of all those encroachers, who have put up small tenements for alternative accommodation. The entire exercise will have to be done within a period of twelve weeks from the date of receipt of a copy of this order. Till then, status quo as on today shall be maintained insofar as the petitioner is concerned. The petitioner is also at liberty to make a representation to the first respondent within a period of two weeks from the date of receipt of a copy of this order.

4. The writ petition stands disposed of with the above direction. No costs. Consequently connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

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,
Madurai District.
- 2.The Revenue Divisional Officer,
Usilampatti, Madurai District.
- 3.The Block Development Officer,
Chellampatti
Madurai District.
- 4.The Tahsildar,
Usilampatti, Madurai District.



5.The President,
Vickiramalingam Village pnachayat,
Vickiramalingam Panchayat,
Usilampati Taluk,
Madurai District.

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+1 CC to M/s.SPL GP (SR-940[F] dated 18/01/2021)

W.P. (MD)No.313 of 2021

Dated: 11.01.2021

PU (CO)

KB(29.01.2021) 3P 7C