



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2021

CORAM

THE HONOURABLE MR.JUSTICE T. S. SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

WEB COPY

W.P. (MD)No.6482 of 2013

N.Nallamuthu

... Petitioner

Vs.

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Tahsildar,
Madurai North Taluk,
Madurai.
- 3.The President,
Kodimangalam Village Panchayat,
Madurai North Taluk,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the Respondents to regularize the petitioner's occupation of the house property comprised in Survey No.26/2 of Kodimangalam Village, Madurai District, bearing Door No.56-T, Kodimangalam Village, Kaliyamman Koil Street, admeasuring 0.00.5 ares and issue patta in favour of the petitioner.

For Petitioner : Mr.C.K.M. Appaji

For Respondents 1 & 2 : Mr.R.Baskaran

Standing Counsel for Government

For Respondent No.3 : Mr.L.Selvaraj

O R D E R

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

Heard Mr.C.K.M.Appaji, learned counsel for the petitioner, Mr.R.Baskaran, learned Standing Counsel for Government, appearing for respondent Nos.1 and 2 and Mr.L.Selvaraj, learned counsel for the third respondent.

2.A counter affidavit has been filed by the third respondent and it is stated that the petitioner has trespassed into the Odai Poromboke land and the Panchayat has passed a Resolution No.8 to select the place to locate the Ground level water Tank and in continuation of the same notice of eviction has been issued to the petitioner to vacate the place. Furthermore, the Writ Petition is of the year 2013 and we find no interim order was granted.



3. In view of the above, we dispose of the Writ Petition, giving liberty to the petitioner to file a fresh representation to the authorities concerned and if such representation is filed, the same shall be considered on merits and in accordance with law. No costs.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj

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,
Madurai.

2. The Tahsildar,
Madurai North Taluk,
Madurai.

+1 CC to M/s.SPL GP (SR-21213[F] dated 05/07/2021)

W.P. (MD) No. 6482 of 2013
02.07.2021

SSS(CO)
KB(13.07.2021) 2P 4C