



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2021

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD)Nos.1454, 1457 & 1461 of 2021

and

W.M.P. (MD)Nos.1244, 1247, 1250, 1251, 1253 and 1254 of 2021

P.Kannan ... Petitioner in
W.P.No.1454/2021

M.Perumal ... Petitioner in
W.P.No.1457/2021

V.Kannan ... Petitioner in
W.P.No.1461/2021

Vs.

1.The District Collector,
Office of the District Collector,
Madurai District.

2.The Commissioner,
Madurai City Municipal Corporation
Arignar Anna maligai
Madurai.

3.The Tahsildar,
Office of the Tahsildar
Madurai North Taluk
Madurai District.

4.The Assistant Engineer PWD/WRD
Office of the Assistant Engineer, PWD/WRD
Periyar Main Canal Section
Mettupatti
Periyar Main Canal sub division No.I
Madurai-2

... Respondents in
all W.Ps.

Common Prayer : Writ Petitions filed under Article 226 of the Constitution of India, seeking for issuance of a Writs of certiorari to call for the entire records connected to the impugned notice to order for removal of encroachment dated 07.01.2021 issued by the respondent No.4 and quash the same.



For Petitioner : Mr.S.Malaikani
For R1 & R3 : Mr.K.P.Krishnadoss
Special Government Pleader
For R4 : Mr.P.Mahendran
Additional Government PLeader
For R2 : Mr.R.Murali

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ORDER

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

Challenging the impugned notices issued by the respondent No.4, by which, the petitioners were asked to remove the encroachments, failing which, consequential action will follow, the writ petitions have been filed.

2.In as much as the said proceedings dated 07.01.2021 is concerned, it cannot be construed as a final notice and hence, we treat it as a show cause. Consequently, the petitioners are directed to give explanation to the said notice within four weeks from the date of receipt of a copy of this order and on receipt of the same, respondent No.4 shall consider the same and pass appropriate orders on merits and in accordance with law. In the meanwhile, there shall be an order of status-quo as on today.

3.The Writ Petitions are disposed of with the above directions. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (crl.side)

// 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,
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Office of the Tahsildar
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+2CC to M/s.S.MALAIKANI, Advocate (SR-2742[F],2741 dated 02/02/2021)

+1 CC to M/s.SPL GP (SR-2861[F] dated 02/02/2021)

W.P. (MD)Nos.1454, 1457 & 1461 of 2021
01.02.2021

TP (CO)

KB(12.02.2021) 3P 8C