



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**
AND
THE HONOURABLE MRS.JUSTICE **S.ANANTHI**

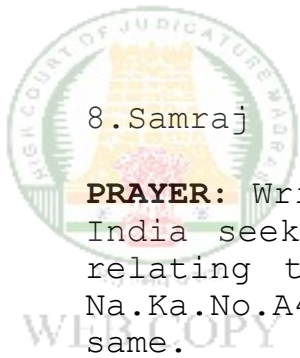
W.P. (MD) No.2413 of 2020
and
W.M.P. (MD) Nos.2062 & 2063 of 2020

Suseela

: Petitioner

Vs.

1. The District Collector,
Tirunelveli District, Tirunelveli.
2. The District Revenue Officer,
Tirunelveli District, Tirunelveli.
3. The Revenue Divisional Officer,
Tirunelveli District, Tirunelveli.
4. The Tahsildar,
Sankarankovil Taluk,
Sankarankovil, Tirunelveli District.
5. The Block Development Officer /
Special Officer, Kalapakulam Union,
(Village Panchayat),
Sankarankovil,
Sankarankovil Panchayat Union,
Sankarankovil Taluk,
Tirunelveli District.
6. The Regional Deputy Block Development Officer,
(Region - IV) Panchayat Union,
Sankarankovil,
Sankarankovil Taluk,
Tirunelveli District.
7. The Secretary,
Kalappakulam Panchayat,
Sankarankovil Panchayat Union,
Sankarankovil Taluk,
Tirunelveli District.



8.Samraj

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorari calling for the entire records relating to the impugned notices issued by the 5th respondent in Na.Ka.No.A4/4904/2018, dated 19.12.2019 and 23.01.2020 and quash the same.

For Petitioner : Mr.A.D.Ganeshamoorthi

For Respondents : Mr.K.P.Krishnadoss,
Special Government Pleader
for RR.1 to 4, 6 & 7
Mr.R.Murugan,
Additional Government Pleader
for R.5
Mr.M.Ramu
for R.8

ORDER

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

Though this is a second round of litigation, the 5th respondent has committed the very same error. On a perusal of the impugned notices, we do not find the representation of the petitioner being considered, however, it is merely stated that the petitioner will have to remove the encroachment.

2. In such view of the matter, we once again treat the impugned notices as show cause notices and direct the 5th respondent to pass a speaking order, by considering the petitioner's earlier representation dated 27.12.2019. The 5th respondent is expected to say as to why the submission made in the petitioner's representation is not correct and the land in question is a public land. The needful will have to be done within a period of eight weeks from the date of receipt of a copy of this order. Till then, *status-quo*, as on date, shall be maintained.

3. With the above direction, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



To

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The District Revenue Officer,
Tirunelveli District, Tirunelveli.
3. The Revenue Divisional Officer,
Tirunelveli District, Tirunelveli.
4. The Tahsildar,
Sankarankovil Taluk,
Sankarankovil, Tirunelveli District.
5. The Block Development Officer /
Special Officer, Kalapakulam Union,
(Village Panchayat),
Sankarankovil,
Sankarankovil Panchayat Union,
Sankarankovil Taluk,
Tirunelveli District.
6. The Regional Deputy Block Development Officer,
(Region - IV) Panchayat Union,
Sankarankovil,
Sankarankovil Taluk,
Tirunelveli District.
7. The Secretary,
Kalappakulam Panchayat,
Sankarankovil Panchayat Union,
Sankarankovil Taluk,
Tirunelveli District.

+1 CC to Mr.A.D.GANESHA MOORTHY, Advocate (SR-3208[F] dated
04/02/2021)

+1 CC to THE SPECIAL GOVERNMENT PLEADER (SR-3305[F] dated
04/02/2021)

W.P. (MD) No.2413 of 2020
03.02.2021

gk

AE (16/02/2021) 3P / 10C

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