



WEB COPY

W.P(MD)No.10005 of 2021

and

W.M.P.No.7711 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P(MD)No.10005 of 2021

and

W.M.P(MD) .No.7711 of 2021

1.Kalimuthu
2.Sakiliandi

... Petitioners

Vs.

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Revenue Divisional Officer,
Sivakasi,
Virudhunagar.
- 3.The Block Development Officer,
(Village Panchayats),
Srivilliputtur Panchayat Union,
Virudhunagar District.
- 4.The Tahsildar,
Srivilliputtur Taluk,
Virudhunagar District.
- 5.The Panchayat President/
Executive Officer,
Pillayarkulam Village Panchayat,
Srivilliputtur Panchayat Union,
Virudhunagar District.

6.A.Ganapathy

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, to call for the records of the fifth respondent in his proceedings No.Nil dated 23.04.2021 and quash the same as illegal, arbitrary, violation of law.



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For Petitioners
For RR 1 to 5

: Mr.M.Jothi Basu
: Mr.R.Baskaran
Government Counsel

ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

We have heard Mr.M.Jothi Basu, the learned counsel appearing for the petitioners and Mr.R.Baskaran, the learned Government counsel appearing for the respondents 1 to 5.

2.This writ petition has been filed challenging a notice issued by the fifth respondent Panchayat directing the petitioners to remove the encroachment.

3.The learned counsel for the petitioners submitted that part of the encroachment has already been removed, but not fully removed.

4.In any event, it has been confirmed that the petitioners are the encroachers and in fact, in an earlier Writ Petition in W.P (MD)No.1608 of 2020, direction has been issued on 02.02.2021 to remove the encroachment. Therefore, the fifth respondent is directed to remove the encroachment within a period of 10 days from today.

5.The learned counsel for the petitioners submitted that the petitioners have filed a Civil Suit. It is open to the petitioners to pursue the matter before the Civil Court.

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

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tta/ps



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,
Virudhunagar District,
Virudhunagar.
- 2.The Revenue Divisional Officer,
Sivakasi,
Virudhunagar.
- 3.The Block Development Officer,
(Village Panchayats),
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- 4.The Tahsildar,
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- 5.The Panchayat President/
Executive Officer,
Pillayarkulam Village Panchayat,
Srivilliputtur Panchayat Union,
Virudhunagar District.

+1 CC to M/s.SPL GP (SR-19355[F] dated 15/06/2021)

+1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-19260[F] dated 14/06/2021

ORDER MADE IN
W.P (MD) No.10005 of 2021
11.06.2021

SRK (CO)
TR(17.06.2021) 3P 8C