



WEB COPY

W.P.(MD)No.17950:

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)Nos.17950, 17952 and 17955 of 2021

and

W.M.P(MD)Nos. 14813, 14814, 14824,

14825, 14826 and 14827 of 2021

W.P. (MD)No.17950/2021

M. Alaguraj

... Petitioner

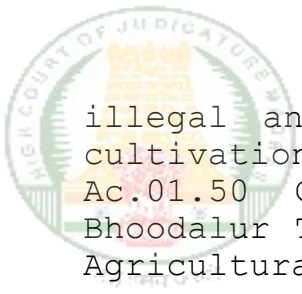
Vs.

1. The District Collector,
District Collector Office,
Thanjavur.
2. The District Revenue Officer,
Thanjavur.
3. The Revenue Divisional Officer,
Thanjavur.
4. The Tahsildar,
Boodhalur Revenue Taluk,
Thanjavur District.
5. The Executive Engineer,
Public Works Department,
Lower Cauvery basin circle,
Water Resources Division,
Thanjavur.
6. The Assistant Engineer,
Kallanai Canal Division,
Public Works Department,
Water Resources Division,
Boodhalur,
Thanjavur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Certiorarified Mandamus, to call for the records relates to the impugned notice dated 02.07.2021, issued by the sixth respondent and quash the same as

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illegal and unconstitutional and consequently protect the actual cultivation being done by the petitioner measuring to an extent of Ac.01.50 Cents in S.Nos.410, 411 and 413, Maraneri Village, Bhoodalur Taluk, Thanjavur District, under the Tamil Nadu Protected Agricultural Zone Development Act 2020, (Tamil Nadu Act 11 of 2020).

W.P. (MD)No.17952/2021

P.Pachaimuthu

... Petitioner

Vs.

1. The District Collector,
District Collector Office,
Thanjavur.
2. The District Revenue Officer,
Thanjavur.
3. The Revenue Divisional Officer,
Thanjavur.
4. The Tahsildar,
Boodhalur Revenue Taluk,
Thanjavur District.
5. The Executive Engineer,
Public Works Department,
Lower Cauvery basin circle,
Water Resources Division,
Thanjavur.
6. The Assistant Engineer,
Kallanai Canal Division,
Public Works Department,
Water Resources Division,
Bhoodalur,
Thanjavur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Certiorarified Mandamus, to call for the records relates to the impugned notice dated 02.07.2021, issued by the sixth respondent and quash the same as illegal and unconstitutional and consequently protect the actual cultivation being done by the petitioner measuring to an extent of Ac.05.00 Cents in S.No.422, Maraneri Village, Bhoodalur Taluk, Thanjavur District, under the Tamil Nadu Protected Agricultural Zone Development Act 2020, (Tamil Nadu Act 11 of 2020).



W.P. (MD)No.17955/2021

K.Ravichandran

... Petitioner

Vs.

1. The District Collector,
District Collector Office,
Thanjavur.
2. The District Revenue Officer,
Thanjavur.
3. The Revenue Divisional Officer,
Thanjavur.
4. The Tahsildar,
Boodhalur Revenue Taluk,
Thanjavur District.
5. The Executive Engineer,
Public Works Department,
Lower Cauvery basin circle,
Water Resources Division,
Thanjavur.
6. The Assistant Engineer,
Kallanai Canal Division,
Public Works Department,
Water Resources Division,
Bhoodhalur,
Thanjavur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Certiorarified Mandamus, to call for the records relates to the impugned notice dated 02.07.2021, issued by the sixth respondent and quash the same as illegal and unconstitutional and consequently protect the actual cultivation being done by the petitioner measuring to an extent of Ac.02.00 Cents in S.No.409, Maraneri Village, Bhoodalur Taluk, Thanjavur District, under the Tamil Nadu Protected Agricultural Zone Development Act 2020, (Tamil Nadu Act 11 of 2020).

For Petitioner
in all petitions : Mr.A.V.Raja

For Respondents
in all petitions : Mr.B.Saravanan
Government Advocate



COMMON ORDER

(Order of this Court was made by **M.DURAISWAMY, J.**)

Heard, Mr.A.V.Raja, learned Counsel appearing for the petitioners and Mr.B.Saravanan, learned Government Advocate, who takes notice for the respondents.

2. The learned Government Advocate submitted that the fifth respondent has already removed the encroachment made by the petitioners in W.P(MD)Nos.17950, 17952 and 17955 of 2021, on 17.09.2021. The petitioners in these writ petitions were issued notices in Form-III, dated 02.07.2021 and pursuant to the same, the fifth respondent has taken possession of the land in question. The petitioners have not stating anything in the affidavit as to the issuance of Form-III notices to them.

3. In these circumstances, the submission made by the learned Government Advocate to the effect that the fifth respondent had vacated and taken possession of the land, which was in occupation of the petitioners in W.P(MD)Nos.17950, 17952 and 17955 of 2021 is recorded and the Writ Petitions are dismissed as infructuous. No costs. Consequently, the connected Miscellaneous Petitions are also dismissed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

LR/SSL

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,
District Collector Office,
Thanjavur.

2. The District Revenue Officer,
Thanjavur.



3. The Revenue Divisional Officer,
Thanjavur.

4. The Tahsildar,
Boodhalur Revenue Taluk,
Thanjavur District.

5. The Executive Engineer,
Public Works Department,
Lower Cauvery basin circle,
Water Resources Division,
Thanjavur.

6. The Assistant Engineer,
Kallanai Canal Division,
Public Works Department,
Water Resources Division,
Bhoodhalur,
Thanjavur District.

+1 CC to M/s.SPL.GP (SR-31017[F] dated 04/10/2021)

W.P (MD) Nos.17950, 17952
and 17955 of 2021
01.10.2021

RK(12.10.2021) 5P 8C