



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2021

CORAM :

WEB COPY

**THE HONOURABLE TMT.JUSTICE PUSHPA SATHYANARAYANA
and
THE HONOURABLE THIRU.JUSTICE P.VELMURUGAN**

W.P (MD)No.20031 of 2021

and

WMP (MD) Nos.16724 and 16726 of 2021

K.V.Somasundaram

... Petitioner

vs.

1)The District Collector,
Karur District, Karur.

2)The Revenue Divisional Officer,
Karur, Karur District.

3)The Tahsildar,
Aravakurichi Taluk,
Karur District.

4)The Block Development Officer,
Aravakurichi,
Karur District.

5)The Executive Officer,
Aravakurichi Special Grade Town Panchayat,
Karur District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 5th respondent in Na.Ka.No.117/2020, dated 21.09.2021, quash the same and consequently direct the 5th respondent not to interfere with the petitioner's peaceful possession and enjoyment of the property in S.No.308 of Aravakurichi Panchayat, Aravakurichi Taluk, Karur District.

For Appellant : Mr.V.Balaji

For Respondents : Mr.B.Saravanan, Government Advocate



ORDER
(Order of the Court was made by
PUSHPA SATHYANARAYANA, J.)

Earlier, this Court in W.P(MD)No.1501 of 2020 dated 30.07.2021, had issued a direction to the Executive Officer, Aravakurichi Town Panchayat, to issue notice to the writ petitioner herein, who was the 5th respondent in that writ petition and after affording him an opportunity of hearing, take action in accordance with law. The said order was passed on 30.07.2021.

2.Admittedly, the 5th respondent had not issued any notice or conducted any enquiry in this regard. However, he had issued a notice impugned dated 21.09.2021, calling upon the writ petitioner herein to remove the encroachment in Survey No.308 which is classified as cart track.

3.The grievance of the writ petitioner is that earlier direction of this Court has not been complied with by the respondents.

4.Be that as it may, the respondents 3 and 5 are directed to issue notice to the writ petitioner herein as well as the writ petitioner in earlier W.P(MD)No.1501/2020, conduct an enquiry and file a status report. In the event, it is found that the construction made by the writ petitioner herein is on Survey No.308, the writ petitioner is directed to remove the encroachment and deliver vacant possession to the authorities.

5.With the above direction, this Writ Petition is disposed of. No costs. Consequently, WMP(MD)Nos.16724 and 16726 of 2021 are closed.

Sd/-

Assistant Registrar (CS I)

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/ /2021

Sub Assistant Registrar(CS)

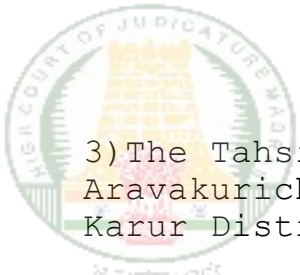
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To

1)The District Collector,
Karur District, Karur.

2)The Revenue Divisional Officer,
Karur, Karur District.

<https://hcservices.ecourts.gov.in/hcservices/>



3)The Tahsildar,
Aravakurichi Taluk,
Karur District.

4)The Block Development Officer,
Aravakurichi,
Karur District.

5)The Executive Officer,
Aravakurichi Special Grade Town Panchayat,
Karur District.

+1 CC to M/s.SPL.GP (SR-33921[F] dated 10/11/2021)

ORDER MADE IN
W.P(MD)No.20031 of 2021
DATED : 09.11.2021

TSK(CO)
RS/NS (23.11.2021) 3P 7C