



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2022

CORAM :

THE HON'BLE MR. JUSTICE M.DURAI SWAMY
AND
THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

W.P.No.9377 of 2022
and W.M.P.No.9115 of 2022

S.Sadayappan

... Petitioner

Vs.

1.The Kollankovil Town Panchayat
rep by its Executive Officer,
Kollankovil,
Kodumudi Taluk,
Erode District.

2.P.Gunasekaran

... Respondents

Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records relating to the impugned orders made in Na.Ka.No.333/2019 dated 28.02.2022 and Na.Ka.No.333/2019 dated 07.04.2022 issued by the 1st respondent under Sections 180 to 182 of the Tamil Nadu District Municipalities Act, 1920, quash the same and consequently forbear the 1st respondent from interfering with petitioner's peaceful possession and enjoyment of the house comprised in S.F.No.351, Kollankovil A Village, Kodumudi Taluk, Erode District.

For Petitioner : Mr.N.Manokaran

For Respondents : Mr.P.Muthu Kumar,
Government Pleader (R1)

O R D E R

(ORDER OF THE COURT WAS MADE BY M.DURAI SWAMY, J.)

The petitioner has filed the above Writ Petition to issue a Writ of Certiorarified Mandamus to call for the records relating



to the impugned orders dated 28.02.2022 and 07.04.2022 issued by the 1st respondent under Sections 180 to 182 of the Tamil Nadu District Municipalities Act, 1920 and to quash the same and to consequently forbear the 1st respondent from interfering with petitioner's peaceful possession and enjoyment of the house comprised in S.F.No.351, Kollankovil A Village, Kodumudi Taluk, Erode District.

2.Mr.N.Manokaran, learned counsel appearing for the petitioner submitted that the 1st respondent issued impugned notices for removing the encroachments made in various Survey Numbers including the Survey No.351. Further, the learned counsel submitted that the land in question (i.e.) Survey No.351 is the Natham Land, hence, the impugned orders are liable to be set aside.

3.Mr.P.Muthu Kumar, learned Government Pleader taking notice for the 1st respondent, on instructions, submitted that the 1st respondent is not going to take any action in respect of Survey No.351 and that the 1st respondent would take action only in respect of other Survey Numbers mentioned in the impugned orders.

4.Since the petitioner is concerned only with regard to the land in Survey No.351, recording the submissions made by the learned Government Pleader, we do not find any reason to keep the Writ Petition pending. Accordingly, the Writ Petition stands closed. No costs. Consequently, the connected miscellaneous petition is also closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

va
To

The Executive Officer,
Kollankovil Town Panchayat
Kollankovil,
Kodumudi Taluk, Erode District.

+lcc to Mr.N.Manokaran, Advocate Sr.25891

W.P.No.9377 of 2022
and W.M.P.No.9115 of 2022

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srg 22/04/2022