



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)Nos. 6837 to 6840, 6844, 7108 to 7110, 7117 to 7119 of 2022
and WMP(MD) Nos.5258, 5261, 5259, 5260, 5263,
5391, 5393, 5394, 5397, 5399 & 5398 of 2022

S.Ramar	... Petitioner in WP(MD). 6837/ 2022
Nila.T	... Petitioner in WP(MD). 6838/ 2022
Parameswari S	... Petitioner in WP(MD). 6839/ 2022
Selvakumar.V	... Petitioner in WP(MD). 6840/ 2022
Jeyavel V	... Petitioner in WP(MD). 6844/ 2022
Ranjitham	... Petitioner in WP(MD). 7108/ 2022
Chandraraj.M	... Petitioner in WP(MD). 7109/ 2022
Mohanraja	... Petitioner in WP(MD). 7110/ 2022
Ravichandran.K	... Petitioner in WP(MD). 7117/ 2022
Jeyalakshmi.S	... Petitioner in WP(MD). 7118/ 2022
Kathirvel .M	... Petitioner in WP(MD). 7119/ 2022

Vs

1. The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.

2. The Thasildar,
Vilathikulam Taluk,
Thoothukudi District.

3. The Executive Officer,
V.Pudur Town Panchayat,
Thoothukudi District.

4. The Collector and District Magistrate,
Thoothukudi District.

...Respondents 1 to 4 in WP(MD).6837 to 6840 of 2022
(R4 is Impleaded Vide Court Order Dated 12.04.2022 in Wp(MD).Nos.
6837 to 6840 of 2022)



- 1.The Thasildar,Vilathikulam Taluk, Thoothukudi District.
- 2.The Executive Officer,V.Pudur Town Panchayat,Thoothukudi District.
- 3.The Collector and District Magistrate,, Thoothukudi District.

... Respondents 1 to 3 in WP(MD). 6844/ 2022

(R3 is Impleaded Vide Court Order Dated 12.04.2022 in Wp(MD).No. 6844/2022)

- 1.The Revenue Divisional Officer, Kovilpatti, Thoothukudi District.
- 2.The Thasildar,Vilathikulam Taluk, Thoothukudi District.
- 3.The Executive Officer,V.Pudur Town Panchayat,Thoothukudi District.

... Respondents in WP(MD). 7108,7109 & 7110/ 2022

- 1.The Thasildar,Vilathikulam Taluk, Thoothukudi District.
- 2.The Executive Officer,V. Pudur Town Panchayat, Thoothukudi District.

... Respondents in WP(MD). 7117 to 7119/ 2022

Prayer in WP(MD). 6837,6839,6840,7108 & 7110 of 2022:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the impugned order (Form-III Notice) dated 16.03.2022 issued Under Section 6(1) of Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 (Act 8 of 2007) passed by the 3rd respondent and quash the same as illegal and devoid of merits forthwith and thus render justice.

Prayer in WP(MD). 6838,6844,7109,7117,7118 & 7119 of 2022:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the impugned order (Form-III Notice) dated 18.03.2022 issued Under Section 6(1) of Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 (Act 8 of 2007) passed by the 3rd respondent and quash the same as illegal and devoid of merits forthwith and thus render justice.

For Petitioner : Mr.C.Prithviraj(In all WPs)

For Respondents : Mr.S.R.A.Ramachandran
Additional Government Pleader
for R1 & R2

(In W.P(MD)Nos. 6837 to 6840 of
2022 & W.P(MD)Nos.7108 to 7110 of
2022)

: Mr.Shaji Bino,
Additional Government Pleader
for R3

(In W.P(MD)Nos. 6837 to 6840 of
2022 & W.P(MD)Nos.7108 to 7110 of
2022)



In WP(MD)No.6844 of 2022

For Respondent R2 : Mr.J.Ashok

For Respondent R1 : Mr.Shaji Bino

In WP(MD)Nos.7117 to 7119 of 2022

For Respondent R1 : Mr.J.Ashok

For Respondent R2 : Mr.K.Balasubramani

COMMON ORDER

[Made by R.VIJAYAKUMAR, J.]

These writ petitions have been filed challenging the Form - III notice issued by the Executive Officer of the Town Panchayat, Thoothukudi District, under the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007.

2. As per the said Act, the Executive Officer of the Town Panchayat is not the authority and when this was pointed out by the Bench, the Executive Officer, who passed the impugned orders has already withdrawn the eviction notices. The District Collector, Thoothukudi District has filed a report to that effect, in which, in paragraph No.6 it has been pointed out that the Executive Officer of the Town Panchayat has already recalled the impugned orders. The same is recorded.

3. Since all the impugned orders of eviction notices have been recalled by the Officer, who has passed the order, nothing survives in these writ petitions.

4. Accordingly, all the writ petitions stand closed. No costs. Consequently, connected Miscellaneous Petitions would not survive.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

RM

To:

1. The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.



2. The Thasildar,
Vilathikulam Taluk,
Thoothukudi District.

3. The Executive Officer,
V.Pudur Town Panchayat,
Thoothukudi District.

4. The Collector and District Magistrate,
Thoothukudi District.

+5 CC to M/s.SPL.GP. (SR-21709[F],SR-21710[F],SR-21888[F],
SR-21898[F]&SR-21899[F] dated 27/04/2022)

W.P(MD)Nos. 6837 to 6840, 6844, 7108 to
7110, 7117 to 7119 of 2022
and WMP(MD) Nos.5258, 5261, 5259, 5260,
5263, 5391, 5393, 5394, 5397, 5399 &
5398 of 2022

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MGJ(06.05.2022) 4P 10C