



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2022

CORAM:

THE HONOURABLE **MR.JUSTICE S.S.SUNDAR**

and

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.P (MD) No.7311 of 2022

and

W.M.P(MD) Nos.5548 and 5549 of 2022

Jenovamary

... Petitioner

Vs.

1.The District Collector,
Pudukottai, Pudukottai District.

2.The Tahsildar,
Manamelkudi Taluk, Pudukottai District.

3.The Assistant Engineer,
Public Works Department/WRO,
Mimesal Channel Section,
Pudukottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Ceriorari, to call for the records pertaining to the impugned Form-III notice, dated 25.03.2022 of the third respondent and to quash the same.

For Petitioner :Mr.M.Veilkani Raju

For R1 to R3 :Mr.S.P.Maharajan
Special Government Pleader

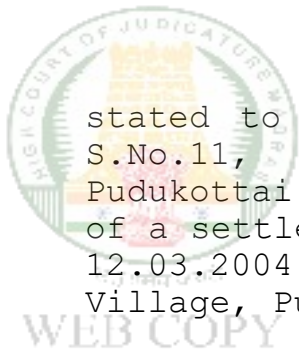
ORDER

(Order of the Court was made by **S.S.SUNDAR, J.**)

This Writ Petition has been filed for issuance of a Writ of Certiorari to quash the Form-III Notice, dated 25.03.2022 issued by the third respondent directing the petitioner to remove the encroachment in respect of the water body situated in S.No.11, Moovanur Utkadai Regunathapuram, Manamelkudi Taluk, Pudukottai District.

2.Heard Mr.M.Veilkani Raju, learned Counsel for the petitioner and Mr.S.P.Maharajan, learned Special Government Pleader appearing for the respondents.

3.The petitioner has filed this Writ Petition without there being any cause or a right in respect of the property, which is



stated to have been encroached by the petitioner, which falls in S.No.11, Moovanur Utkadai Regunathapuram, Manamelkudi Taluk, Pudukottai District. The petitioner claims ownership on the basis of a settlement deed in her favour by a registered instrument, dated 12.03.2004 in respect of a property in S.No.1/14 in Rettaiyapalayam Village, Pudukottai District.

4.Though the petitioner states that she has also obtained patta and produced revenue documents to show that she is in possession of a property in S.No.1/14, Rettaiyapalayam Village, Pudukottai District, measuring an extent of 0.05.0 hectares, there is no document produced before this Court showing any semblance of right or title in favour of the petitioner in respect of the property, for which the impugned proceedings have been initiated by the third respondent under the provisions of the Tamil Nadu Protection of Tanks and Eviction of Encroachment, Act, 2007.

5.Hence, this Court find no merits in the Writ Petition. Accordingly, this Writ Petition is dismissed. However, it is made clear that the respondents shall not take any action in respect of the property of the petitioner which is stated to have been situated in S.No.1/14, Rettaiyapalayam Village, Pudukottai District. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

cmr

To

1.The District Collector,
Pudukottai, Pudukottai District.

2.The Tahsildar,
Manamelkudi Taluk, Pudukottai District.

3.The Assistant Engineer,
Public Works Department/WRO,
Mimesal Channel Section,
Pudukottai District.

+1 CC to M/s.SPL.GP. (SR-25608[F] dated 14/06/2022)

W.P(MD)No.7311 of 2022

13.06.2022

VR(CO)

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