



W.P.(MD) No.22345 of 2022

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 16.11.2022**

**CORAM:**

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN**

**AND**

**THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

**W.P.(MD)No.22345 of 2022**

**and**

**W.M.P.(MD)No.16529 of 2022**

Karthikeyan

... Petitioner

**-Vs-**

1.The Revenue Divisional Officer,  
Revenue Divisional Office,  
Paramakudi, Ramanathapuram District.

2.The Tahsildar,  
Mudukulathur Taluk Office,  
Mudukulathur Taluk,  
Ramanathapuram District.

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3.The General Manager,

Sivagangai District Milk Producers Union Ltd.,  
Kazhanivasal, Karaikudi,  
Sivagangai District.

4.K.Vemban

... Respondents

**PRAYER :** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned proceedings of the 2<sup>nd</sup> respondent in Na.Ka.B1/407/2022 dated 06.09.2022 and quash the same as illegal consequently, forbear the respondents from interfering with the peaceful conduct of petitioner's Aavin business in Survey No.400/11 and 400/12 at Kakkoor Village and Post, Mudukulathur Taluk, Ramanathapuram District.

|                |                                             |
|----------------|---------------------------------------------|
| For Petitioner | : Mr.M.Jerin Mathew                         |
| For R1 & R2    | : Mr.V.Nirmal Kumar,<br>Government Advocate |
| For R3         | : No Appearance                             |
| For R4         | : Mr.D.Senthil                              |



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## **ORDER**

**[Order of the Court was made by R.MAHADEVAN, J.]**

Challenging the eviction notice dated 06.09.2022 issued by the 2<sup>nd</sup> respondent under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, this Writ Petition is filed with a consequential direction to forbear the respondents from interfering with the peaceful conduct of the petitioner's Aavin business in Survey Nos.400/11 and 400/12 at Kakkoor Village and Post, Mudukulathur Taluk, Ramanathapuram District.

2.Today, when the matter was taken up for hearing, the learned Government Advocate for the respondents 1 and 2 has produced a communication of the 2<sup>nd</sup> respondent dated 10.11.2022 in Na.Ka.B1/407/2022, sent to the 3<sup>rd</sup> respondent and submitted the land in Survey No.400/9 has been allotted to install the Aavin Booth.

3.The aforesaid communication and submission made by the learned Government Advocate for the respondents 1 and 2 are not refuted by the learned counsel for the petitioner.

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4.In view of the above, this Writ Petition stands closed, leaving it open to the petitioner to approach the 3<sup>rd</sup> respondent to work out his remedy in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

**[R.M.D., J.] & [J.S.N.P., J.]**

**16.11.2022**

**(½)**

Index : Yes / No  
Internet : Yes / No  
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To

1.The Revenue Divisional Officer,  
Revenue Divisional Office,  
Paramakudi, Ramanathapuram District.

2.The Tahsildar,  
Mudukulathur Taluk Office,  
Mudukulathur Taluk,  
Ramanathapuram District.  
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**R.MAHADEVAN, J.**

**AND**

**J.SATHYA NARAYANA PRASAD, J.**

*Myr*

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**16.11.2022**

**(1/2)**