



W.P.No.10408 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.10408 of 2023

G.Rukmani

.. Petitioner

Vs

- 1.The District Collector,
Dharmapuri District,
Dharmapuri.
- 2.The District Revenue Officer,
Dharmapuri District,
Dharmapuri.
- 3.The Tahsildar,
Pennagaram Taluk,
Dharmapuri District.
- 4.The Secretary,
Public Works Department,
Chepauk, Chennai.



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5.Public Works Department,
(Water Irrigation Management Department)
rep. by its Executive Engineer,
Pennagaram,
Dharmapuri District.

6.The Public Works Department,
(Water Irrigation Management Department)
rep. by its Assistant Engineer,
Nagavathi Dam, Pennagaram,
Dharmapuri District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the records relating to the impugned Form-III notice dated 11.4.2022 in Ref.nil issued by the sixth respondent and quash the same and consequently direct the respondents to consider the petitioner's representation dated 22.4.2022.

For the Petitioner : Mr.M.Selvam

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondents 1 to 6

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

G.Rukmani, daughter of Chinnapaiyan, a resident of Koolikottai, Nagarkudal, Dharmapuri District, has filed this writ petition challenging the impugned Form-III notice dated 11.4.2022



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issued by the sixth respondent and consequently to direct the respondents to consider the petitioner's representation dated 22.4.2022.

2. Learned counsel appearing for the petitioner would submit that the petitioner's father was the owner of the land comprised in S.Nos.155/3, 56/1, 58/1B, 58/1C and 58/1A in Kolikottai Village, Nagarkoil, Dharmapuri District, and he permitted her to construct a house in a small portion of the said land. However, by the impugned notice in Form-III, the petitioner was called upon to remove the encroachment said to have been made in the land covered in Survey No.158 situate at Samaneri Area, Kumbapadi Village. Learned counsel submitted that the petitioner is no way connected with Survey No.158 situate at Samaneri and the sixth respondent has unnecessarily issued the impugned notice to the petitioner.

3. On the other hand, learned State Government Pleader appearing for the respondents submitted that if really the petitioner



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is no way connected with the land covered in Survey No.158 situate at Samaneri, she ought not to have filed the present writ petition, but should have submitted her objections with material in support of her claim.

4. In view of the submissions made by learned counsel appearing on either side, we are of the view that when the petitioner is no way related to the land covered in Survey No.158 situate at Samaneri, the impugned notice dated 11.4.2022 can be implemented in respect of the land covered therein alone and not with regard to the land owned by the petitioner.

5. Accordingly, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.10360, 10363 and 10364 of 2023 are closed.

(T.R., ACJ.) (D.B.C., J.)
05.04.2023

Index : Yes/No
Neutral Citation : Yes/No
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To:

WEB COPY

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Dharmapuri.
- 2.The District Revenue Officer,
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Dharmapuri.
- 3.The Tahsildar,
Pennagaram Taluk,
Dharmapuri District.
- 4.The Secretary,
Public Works Department,
Chepauk, Chennai.
- 5.The Executive Engineer,
Public Works Department,
(Water Irrigation Management Department)
Pennagaram,
Dharmapuri District.
- 6.The Assistant Engineer,
Public Works Department,
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Nagavathi Dam, Pennagaram,
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WEB COPY



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THE HON'BLE ACTING CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

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