



W.P.No.18412 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.18412 of 2023

K.Karthik Rajan

.. Petitioner

Vs.

1. The District Collector
Cuddalore District
Cuddalore.
2. The Tahsildar
Panruti Taluk
Panruti, Cuddalore District.
3. The Commissioner
Annagramam Panchayat Union
Panruti Taluk, Cuddalore District.
4. The President
Panapakkam Village Panchayat
Annagramam Panchayat Union
Panruti Taluk, Cuddalore District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorarified Mandamus to call for the records



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relating to the impugned order issued by the fourth respondent in No. Nil dated Nil, posted on 01.06.2023 and served on the petitioner on 02.06.2023 through registered post and to quash the same and consequently directing the respondents to restore the compound wall comprised in S.No.204/4, Panapakkam Village, Panruti Taluk classified as Natham land to its original position, including payment of damages for removal of standing trees from the petitioner's land and other damages caused.

For the Petitioner : Mr.G.Sankaran
Senior Counsel
For Mr.S.Nedunchezhiyan

For the Respondents : Mr.P.Muthukumar
State Government Pleader
Assisted by
Mrs.R.Anitha
Special Government Pleader
for Respondents 1 to 3

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.G.Sankaran, learned Senior Counsel for Mr.S.Nedunchezhiyan, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader, assisted by Mrs.R.Anitha, learned Special Government Pleader for the respondents 1 to 3.

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2. The order under Section 6 is assailed on the ground that the Panchayat Union has no authority to issue such notice.

3. Learned State Government Pleader accedes to the said fact.

4. In the light of that, the impugned notice under Section 6 is set aside. It is made clear that the respondents are at liberty to proceed ahead in accordance with law. The present order would not be an impediment for the respondent authorities to proceed in accordance with law.

5. The writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.17629 and 17630 of 2023 are closed.

(S.V.G., CJ.)

(P.D.A., J.)

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Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
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P.D.AUDIKESSAVALU, J.

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