



WP No.24961 of 2023, etc.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2023

CORAM

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

AND

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

WP Nos.24961, 24965, 24967 of 2023;
8412 of 2019; 27501, 27495,
27564 of 2018 and WA No.1098 of 2023
and WMP Nos.8936, 8942 of 2019; 24387, 24391, 24393, 24390 of
2023; 32009, 32012, 32007, 32091 of 2018
and CMP No.11152 of 2023

WP No.24961 of 2023

A.Sellamuthu

... Petitioner

-VS-

1. The District Collector,
Perambalur District,
Pin Code 621212.
2. The Revenue Divisional Officer,
Perambalur, Pin Code 621212.
3. The Tahsildar,
Taluk Office, Veppanthanttai Taluk,
Perambalur District, Pin Code 621116.
4. The Block Development Officer,
Panchayat Unionn, Veppanthattai Taluk,
Perambalur District, Pin code 621116.

... Respondents



WP No.24961 of 2023, etc.

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the notice dated 03.05.2023 issued by the 4th respondent and quash the same as illegal and without jurisdiction and consequently direct the 1 to 4 respondents not to interfere in the petitioner's Natham land in Old Survey No.403/5, New Survey No.34/5 measuring an extent of 244 square feet of land and in Natham land in Old Survey No.403/2, New Survey No.34/2 measuring an extent of 624 sq.ft. of land, altogether an extent of 868 square feet of land (physical possession of 828 square feet only) situated at Kai Kalathur Village & Panchayat, Veppanthattai Taluk, Perambalur District.

For the Petitioners
in all WPs. and WA : Mr.R.Venkatesulu

For the Respondents
in all WPs. and WA : Mr.Karthik Jagannathan
Govt. Advocate.

* * * * *

COMMON ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.RVenkatesulu, learned counsel for the petitioners and Mr.K.Karthik Jagannathan, learned Government Advocate for the respondents.



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2. According to the learned counsel for the petitioners, the land in question is a Grama Natham land. The Tamil Nadu Panchayats Act, 1994 is not applicable to the Grama Natham land.

3. It is not disputed that prior to the impugned notice, no show cause notice was issued to the petitioners. The petitioners can raise all the objections, even the objection of applicability of the Act, with the respondents.

4. As no show cause notice has been issued to the petitioners, we pass the following order.

The impugned notice/order shall be construed as the show cause notice. The petitioners may file reply to the same along with the documents on which the petitioners rely within ten days from today. If the reply is filed within ten days, then the respondents shall consider the said reply and pass fresh orders on its own merits and in accordance with law.



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The writ petitions and the writ appeal are, accordingly, disposed of. There will be no order as to costs. WMP No.24390 of 2023 filed by the petitioners therein to permit them to file a single writ petition is allowed and disposed of. Consequently, other miscellaneous petitions are closed.

(S.V.G., CJ.)

(P.D.A., J.)

11.09.2023

Index : Yes/No

Neutral Citation : Yes/No

sra

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(sra)

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