



WP No.26848 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2023

CORAM :

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

AND

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

WP No.26848 of 2022

and WMP Nos. 1831 of 2023 and 25931 and 25932 of 2022

B.Ravi

.. Petitioner

-VS-

1. The District Collector,
Thiruvallur.
2. The Tahsildar,
Thiruvallur Taluk,
Thiruvallur.
3. The President,
Thirupachur Panchayat,
Thiruvallur Taluk and District.

4. Prabhakar

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records pertaining to the order in Na.Ka.No.3674/2022/B1 dated 15.9.2022 on the file of the 2nd respondent and to quash the same.

For the Petitioner : Mr.R.Selvakumar

For the Respondents : Mrs.R.Anitha,
Special Government Pleader,



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WP No.26848 of 2022

assisted by Mr.K.M.D.Muhilan,
Additional Government Pleader
for RR 1 to 3

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ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

We have heard Mr.R.Selvakumar, learned counsel for the petitioner and Mrs.R.Anitha, learned Special Government Pleader, for the official respondents.

2. The learned counsel for the petitioner submits that the Tahsildar has issued a notice to the petitioner to stop construction without verifying the original documents. The land in S.No.222/1 belongs to the petitioner and he legitimately owns the land. The said aspect has not been considered. The petitioner has given a reply on 03.08.2022, but no cognizance is taken of the same.

3. We find that the reply dated 03.08.2022 does not give the details as to how the petitioner is the owner of the property in question. The petitioner shall file a detailed reply within fifteen days



WP No.26848 of 2022

from today to the impugned memo/abstract dated 15.09.2022. If such a reply is received within fifteen days, then the Tahsildar shall consider the reply filed by the petitioner and take decision upon the alleged construction as has been mentioned in the abstract/memo dated 15.09.2022.

4. The decision may be taken preferably within three months from the date of receipt of the reply from the petitioner. The impugned memo/abstract shall be considered as a show cause notice to the petitioner.

With the above observations, the writ petition stands disposed of. There will be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(S.V.G., CJ.)

(P.D.A., J.)

17.07.2023

Index : yes/no

Neutral Citation : Yes/No

sra



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WP No.26848 of 2022

THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESSAVALU, J.

(sra)

To:

1. The District Collector,
Thiruvallur.
2. The Tahsildar,
Thiruvallur Taluk,
Thiruvallur.
3. The President,
Thirupachur Panchayat,
Thiruvallur Taluk and District.

WP No.26848 of 2022

17.07.2023