



WEB COPY



W.P.Nos.28774 & 28776 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.Nos.28774 & 28776 of 2023

M.Premkumar .. Petitioner in
WP No.28774/23

P.Raja .. Petitioner in
WP No.28776/23

Vs.

The Assistant Engineer, WRD
Adayar Irrigation Section
St. Thomas Mount
Chennai 16. .. Respondent in
both W.Ps.

Prayer: Petitions filed under Article 226 of the Constitution of India seeking a writ of Certiorari calling for the records pertaining to the impugned notice issued by the respondent in Form III dated 07.08.2023 and quash the same.



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For the Petitioners : Mr.G.Karthikeyan
Senior Counsel
For Ms.A.Jagadeeswari

For the Respondent : Mr.P.Muthukumar
State Government Pleader
Assisted by
Mrs.R.Anitha
Special Government Pleader

ORDER
(Made by the Hon'ble Chief Justice)

Heard Mr.G.Karthikeyan, learned Senior Counsel for Ms.A.Jagadeeswari, learned counsel for the petitioners and Mr.P.Muthukumar, learned State Government Pleader, assisted by Mrs.R.Anitha, learned Special Government Pleader for the respondent.

2. Learned Senior Counsel for the petitioners submits that the petitioners are not concerned with S.No.110, Madhanandhapuram Village, Alandur Taluk. They are the owners and possessors of S.No.109. However, the notices directing to remove the encroachment from S.No.110 are issued to the petitioners.

3. Learned State Government Pleader submits that the



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respondent authority would not be taking action in respect of the construction and/or the premises in S.No.109. They would be restricting their action only to S.No.110.

4. As the action is being restricted to S.No.110 and the petitioners are not at all concerned with S.No.110, it is not necessary to pass any further order in the matters. However, the petitioners may file reply to the said notice within seven days from today to clarify their stand.

5. In the light of that, the writ petitions are disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.28373 and 28375 of 2023 are closed.

(S.V.G., CJ.)

(D.B.C., J.)

09.10.2023

Index : Yes/No
Neutral Citation : Yes/No
kpl
To
The Assistant Engineer, WRD
Adayar Irrigation Section
St. Thomas Mount, Chennai 16.



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

(kpl)

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