



WEB COPY



W.P.No.28838 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.No.28838 of 2023

A.Prashanth Kumar

.. Petitioner

Vs.

The Assistant Engineer, WRD
Adayar Irrigation Section
St. Thomas Mount
Chennai 16.

.. Respondent

Prayer: Petition 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.

For the Petitioner

: 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



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ORDER
(Made by the Hon'ble Chief Justice)

Heard Mr.G.Karthikeyan, learned Senior Counsel for Ms.A.Jagadeeswari, learned counsel for the petitioner 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 petitioner submits that the petitioner is not concerned with S.No.110, Madhanandhapuram Village, Alandur Taluk. He is the owner and possessor of S.No.109. However, the notice directing to remove the encroachment from S.No.110 is issued to the petitioner.

3. Learned State Government Pleader submits that the 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.



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

5. In the light of that, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.28439 of 2023 is 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
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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J

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