



W.P.No.34247 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.34247 of 2023

R.Subramaniam

.. Petitioner

Vs.

The Panchayat President
N.Pudupatti Village
Mohanur Taluk
Namakkal District.

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari, calling for the entire records relating to the impugned order dated 16.11.2023 passed by the respondent and quash the same.

For the Petitioner	: Mr.K.M.Arun for Mr.S.Senthil
For the Respondent	: Mr.P.Muthukumar State Government Pleader



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ORDER
(Made by the Hon'ble Chief Justice)

Heard Mr.K.M.Arun, learned counsel appearing for Mr.S.Senthil, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader for the respondent.

2. Learned State Government Pleader for the respondent submits that the Panchayat President has issued a notice under the provisions of the Tamil Nadu Panchayats Act, 1994 for removal of the alleged encroachment by the petitioner. For removal of encroachment, the respondent has not authority.

3. In the light of that, the impugned notice dated 16.11.2023 shall not be acted upon and shall be considered as an information to the Tahsildar and the Tahsildar shall thereafter initiate the proceedings in accordance with the Tamil Nadu Land Encroachment Act, 1905. In that event, the petitioner would have to file a reply to the notice issued.



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4. In view of the above, the writ petition stands disposed of.
There will be no order as to costs. Consequently, W.M.P.No.34136 of
2023 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

12.12.2023

Index : Yes/No
Neutral Citation : Yes/No

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

(drm)

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