



**W.P.(MD) No.257 of 2023**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 06.01.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR**

**and**

**THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P.(MD) No.257 of 2023**  
**and W.M.P.(MD)Nos.224 & 227 of 2023**

Suresh Kumar

Vs.

... Petitioner

1.The District Collector,  
Tirunelveli District,  
Tirunelveli.

2.The Revenue Divisional Officer,  
Tirunelveli District,  
Tirunelveli.

3.The Tahsildar,  
Tirunelveli Taluk Office,  
Tirunelveli District.

... Respondents



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**PRAYER :** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned eviction notice issued by 3<sup>rd</sup> respondent in Proceedings NIL dated 28.11.2022 and to quash the same as illegal, arbitrary and consequently direct the 3<sup>rd</sup> respondent to issue Patta in the name of the petitioner and his brother namely Rajesh Kumar with regard to Survey Nos. 430/1 and 432/2 total extent as 50 Cents which is situated at Indira Nagar, Palamadai Village, Tirunelveli Taluk, Tirunelveli District.

For Petitioner : Mr.A.D.Ganeshamoorthi

For Respondents : Mr.M.Sarangan,  
Addl. Govt. Pleader.

### **ORDER**

**[Order of the Court was made by D.KRISHNAKUMAR, J.]**

Today, when the matter was taken up for admission, the learned Additional Government Pleader, who takes notice for the respondents submitted that the petitioner has already been evicted from the subject property and therefore, this Writ Petition may be dismissed.



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2. In view of the aforesaid submission of the learned Additional Government Pleader, we are of the view that this Writ Petition cannot be entertained and the same is liable to be dismissed.

3. Accordingly, this Writ Petition is dismissed, with liberty to the petitioner to seek appropriate remedy before the authority concerned under the Tamil Nadu Land Encroachment Act, 1905. No costs. Consequently, connected miscellaneous petitions are closed.

**[D.K.K., J.]                      [R.V., J.]**

**06.01.2023**

vsm

NCC : Yes / No

Index : Yes / No

**D.KRISHNAKUMAR, J.**

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**and**  
**R.VIJAYAKUMAR, J.**

vsm

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