



W.P.(MD) No.813 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.813 of 2023

and

W.M.P.(MD)No.791 of 2023

Saravanaselvi

... Petitioner

-Vs-

- 1.The Tahsildar,
Taluk Office, Vadipatti, Madurai District.
- 2.The Block Development Officer (Village Panchayat),
Block Development Office,
Alanganallur, Vadipatti Taluk,
Madurai District.
- 3.Valaiyapatti Village Panchayat,
Represented by its President,

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Valaiyapatti, Vadipatti Taluk,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the 3rd respondent in Letter.No.6996/203/2022, dated 29.12.2022 and quash the same and to forbear the respondents from interfering with the petitioner's peaceful possession and enjoyment of the property situated in Old S.No.65/8, New S.No.65/9 at Ramakavundanpatti Village, Vadipatti Taluk, Madurai District.

For Petitioner : Mr.AK.Gopalan
For R1 : Mr.P.T.Thiraviyam,
Government Advocate
For R2 & R3 : Mr.K.Balasubramani,
Special Government Pleader

ORDER

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

Challenging eviction notice dated 29.12.2022 issued by the 3rd respondent, directing the petitioner to remove the encroachment made in S.No.65/8, situated at Ramakavundanpatti Village, Vadipatti Taluk, Madurai District, this Writ Petition is filed with a consequential direction to forbear the

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respondents from interfering with the petitioner's peaceful possession and enjoyment of the property situated in Old S.No.65/8, New S.No.65/9 at Ramakavundanpatti Village, Vadipatti Taluk, Madurai District.

2.Mr.P.T.Thiraviyam, learned Government Advocate takes notice for the 1st respondent and Mr.K.Balasubramani, learned Special Government Pleader takes notice for the respondents 2 and 3.

3.By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

4.The learned Special Government Pleader for the respondents 2 and 3, on instructions, submitted that the 3rd respondent has wrongly issued the impugned eviction notice to the petitioner in respect of old S.No.65/8. Therefore, the respondents have not taken any action for removal of encroachment in the aforesaid land, since the same is classified as natham land and patta has also been issued in favour of the petitioner.



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5.Recording the aforesaid submission made by the learned Special Government Pleader, this Writ Petition stands closed. No costs. Consequently, connected miscellaneous petition is also closed.

[D.K.K., J.] & [R.V., J.]
12.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

MYR

To

- 1.The Tahsildar,
Taluk Office, Vadipatti, Madurai District.

- 2.The Block Development Officer (Village Panchayat),
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3.The President,
Valaiyapatti Village Panchayat,
Valaiyapatti, Vadipatti Taluk,
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AND

R.VIJAYAKUMAR, J.

MYR

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