



W.P(MD)No.2668 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.02.2023

CORAM :

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P(MD)No.2668 of 2023

and

WMP(MD)No.2432 of 2023

Boomiraja

... Petitioner

vs.

1. The District Collector,
Dindigul District, Dindigul.
2. The Project Director, P.I.U.,
National Highways Department of India,
New No.6, Old No. 44, 1st Floor-III Main Road,
Ponnagar, Trichy-620 001.
3. The Authorized Officer,
National Highways Department of India,
Dindigul District, Dindigul.
4. The Executive Officer,
Municipality Office,
Ayyalur,
Dindigul District.



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5. The Tahsildar,
Vedasanthur Taluk,
Dindigul District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned Notice issued by the 2nd respondent in his proceedings in NHAI/PD/TRY/NH-83/2023 dated 11.01.2023 and quash the same as illegal and consequently direct the respondents not to interfere with the petitioner's peaceful possession and enjoyment in respect of a property comprised in Survey No.935/1B7, to an extent of 0.05.54 Hectares (13½ cents) situated at Ayyalur, Vedasanthur Taluk, Dindigul District.

For Petitioner	: Mr.Jerin Mathew for Mr.T.Palanisamy
For R1 & R5	: Mr.V.Nirmal Kumar Government Advocate
For R2 & R3	: Mr.P.Karthick, Standing Counsel

ORDER

(Order of the Court was made by D.KRISHNAKUMAR, J.)

Challenging the notice for removal of unauthorised occupation dated 11.01.2023 issued by the 2nd respondent, the



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petitioner has filed this writ petition, to quash the same with a consequential direction to the respondents not to interfere with his peaceful possession and enjoyment in respect of a property comprised in Survey No.935/1B7, to an extent of 0.05.54 Hectares (13½ cents) situated at Ayyalur, Vedasanthur Taluk, Dindigul District.

2. Learned Standing Counsel appearing for the respondents 2 and 3 submitted that the impugned notice dated 11.01.2023 is also a show cause notice directing the petitioner to make a representation within 7 days and though the petitioner submitted explanation/representation on 27.01.2023 to the impugned notice, without waiting for the final orders to be passed on the same, he has rushed to this Court by filing this writ petition.

3. Considering the fact that the petitioner has submitted an explanation/representation dated 27.01.2023 in response to the impugned notice, we direct the respondents to consider the said explanation/representation of the petitioner dated 27.01.2023 and



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pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

4. With the above direction, the Writ Petition is disposed of.
No costs. Connected miscellaneous petition is closed.

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

[D.K.K.,J.] & [L.V.G.,J.]
14.02.2023

To

1. The District Collector,
Dindigul District, Dindigul.

2. The Project Director, P.I.U.,
National Highways Department of India,
New No.6, Old No. 44, 1st Floor-III Main Road,
Ponnagar, Trichy-620 001.

3. The Authorized Officer,
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Dindigul District, Dindigul.

4. The Executive Officer,
Municipality Office,

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Ayyalur,
Dindigul District.

5. The Tahsildar,
Vedasanthur Taluk,
Dindigul District.



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D.KRISHNAKUMAR, J.
and
L.VICTORIA GOWRI, J.

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ORDER MADE IN
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DATED : 14.02.2023