



W.P.(MD)No.3671 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 06.04.2023

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**W.P(MD)No.3671 of 2023
and
W.M.P(MD)Nos.3442 & 3443 of 2023**

- 1.Gnana Raj
- 2.Kamar Nisha Begam
- 3.S.Povun
- 4.Sivakumar
- 5.Dhanam
- 6.Kaliammal
- 7.Amutha
- 8.S.Prema
- 9.Maliga
- 10.Murugesan
- 11.Venkatesh
- 12.Amutha
- 13.Premila
- 14.Panjavarnam
- 15.Sebasthiyamal
- 16.Dhanalakshmi
- 17.Bhuvaneshwari
- 18.Alwin Christian Raja
- 19.Jangi
- 20.Ushamary
- 21.Parvathi
- 22.Sesuraj
- 23.Parvathi
- 24.Sesammal



W.P.(MD)No.3671 of 2023

- 25.Sesu
- 26.Priya
- 27.Indhumathi
- 28.Rani
- 29.Kulandhai Therasu
- 30.Dhurga Devi
- 31.Asarpu Nisha
- 32.Mohamed Iliyas
- 33.Chandra
- 34.Vasugi
- 35.Rubita Mary
- 36.Poongudi
- 37.Devasundari
- 38.Vanitha
- 39.Mariyammal
- 40.Kaamakkal
- 41.Vincy Josephine
- 42.Dharmaraj
- 43.Dhanam
- 44.Lakshmi
- 45.Rajaram
- 46.Savarimary
- 47.Sekar
- 48.Latha Mary
- 49.Indira
- 50.Loganathan
- 51.Sivakami
- 52.Prema
- 53.Selvi
- 54.Rengachari
- 55.Shanthi
- 56.Muthulakshmi
- 57.Kathiresan
- 58.Angammal
- 59.Ravichandran
- 60.Justin Thiraviyam
- 61.Selvarani
- 62.Rajeswari
- 63.Muniyammal



W.P.(MD)No.3671 of 2023

64.Kanikkaimery
65.Velanganni
66.Jegatheesh
67.Ganesan
68.Mohamed Ali
69.Hariharasuthan
70.Selvarani
71.Meera
72.Dhanabackiam
73.Anitha
74.Sandhiyagappar
75.Alagammal
76.Muthu
77.Palaniyammal
78.Stephen Arociadoss

... Petitioners

Vs.

- 1.The District Collector,
Velunachiyar Compound,
Dindigul District.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Dindigul – 4.
- 3.The Tahsildar,
Dindigul East Taluk Office,
Nagal Nagar,
Dindigul – 3.
- 4.The Block Development Officer,
Dindigul Panchayat Union Office,
Dindigul.

5.G.Muthuvel

... Respondents



W.P.(MD)No.3671 of 2023

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned order passed by the third respondent in his proceedings Na.Ka.No.2946/2018/A2 dated 26.03.2018 and quash the same as illegal, arbitrary and in violation of the principles of natural justice.

For Petitioners : Mr.B.Saravanan
Senior Counsel
Assisted by Mr.S.Sarvagan Prabhu

For Respondents : Mr.K.Balasubramani
Special Government Pleader
R.1 to R.4

Mr.B.Senthil Kumar for R.5

ORDER

Heard the learned counsel on either side.

2.The Tahsildar, Dindigul East passed an order dated 26.03.2018 for removal of the petition mentioned encroachments. It is obvious and it is admitted that the said order was passed without notice to the affected parties. On this sole ground of violation of principles of the natural justice the impugned order is set aside. The matter is remitted to the file of the third respondent. The third respondent will issue a fresh notice to the petitioners herein and after giving reasonable opportunity as per law pass final order on



W.P.(MD)No.3671 of 2023

merits. We make it clear that we have not gone into the merits of the matter.

We make it clear that the writ petitioners herein shall not adopt any dragging on tactics. The entire exercise shall be completed within a period of four months from the date of receipt of a copy of this order. The fifth respondent will also be associated during the enquiry. In other words, the fifth respondent can also place his case before the third respondent.

3.This writ petition is allowed on these terms. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [B.P., J.]
06.04.2023

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

To

- 1.The District Collector,
Velunachiyar Compound,
Dindigul District.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Dindigul – 4.



W.P.(MD)No.3671 of 2023

G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

MGA

3.The Tahsildar,
Dindigul East Taluk Office,
Nagal Nagar,
Dindigul – 3.

4.The Block Development Officer,
Dindigul Panchayat Union Office,
Dindigul.

W.P(MD)No.3671 of 2023

and

W.M.P(MD)Nos.3442 & 3443 of 2023

06.04.2023