



W.P.(MD)No.7574 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.07.2023

CORAM

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

W.P(MD)No.7574 of 2023
and
W.M.P.(MD)No.7063 of 2023

C.Karuppaiah

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Taluk Office,
Kariyapatti Taluk,
Virudhunagar District.

3.The Block Development Officer,
Kariyapatti Panchayat Union,
Virudhunagar District.

4.The Panchayat President,
Vakkanankundu Panchayat,
Kariyapatti Taluk,
Virudhunagar District.

... Respondents



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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 eviction notice issued by the 4th respondent in his proceedings No. Nil, dated 13.3.2023 and quash the same as illegal and arbitrary.

For Petitioners :Mr.P.Veerapandi

For Respondents :Mr.Satheesh Kumar
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2. The local body has issued the impugned notice dated 13.03.2023 alleging that the petitioner has encroached the water body that is comprised in Survey No.54/1 in Allikulam Village. We called upon the petitioner to substantiate his title over the said survey number. The petitioner does not even have an iota of material. The revenue classification is also clear to the effect that Survey No.54/1 is a water body. The notice impugned in the writ petition is sustained. The respondents are directed to take consequential action to remove the encroachment.



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3. The Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
07.07.2023

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

- 1.The District Collector,
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