



W.P.(MD)No.16136 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 05.07.2023

CORAM

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

W.P(MD)No.16136 of 2023
and
W.M.P.(MD)Nos.13523 & 13525 of 2023

C.Ajantha Singh

... Petitioner

Vs.

- 1.The District Collector,
Kanniyakumari District,
at Nagercoil.
- 2.The Tahsildar,
Vilavancode Taluk,
Kulithurai,
Kanniyakumari District.
- 3.The Assistant Engineer,
P.W.D/W.R.O,
Pattanangal Irrigation Section,
Kulithurai,
Kanniyakumari District.
- 4.The Executive Officer,
Unnamalaikadai Town Panchayat,
Unnamalaikadai,
Kanniyakumari 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 pertaining to the impugned order passed by the third respondent vide proceedings bearing No.Nil, dated 07.06.2023 and quash the same as illegal and unconstitutional.

For Petitioners :Mr.G.Aravinthan

For Respondents :Mr.K.Balasubramani,
Special Government Pleader

ORDER

Heard the learned counsel on either side.

2. The petitioner challenges the impugned Form III notice issued by the third respondent. It is seen that the petitioner has been called upon to remove the encroachment committed in Survey No.796/15, Unnamalaikadai Village in Vilavancode Taluk. The petitioner states that he is having patta land in Survey No.796/16. The petitioner obviously and admittedly has no claim over Survey No.796/15. Action to remove encroachment will be confined to Survey No.796/15. The authorities are cautioned not to affect the rights of the petitioner in respect of Survey No.796/16.



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WEB COPY 3. With this clarification, the impugned Form III notice is sustained.

The Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [B.P., J.]
05.07.2023

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