



W.P.(MD).No.18569 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.10.2023

CORAM

**THE HON'BLE MR JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR JUSTICE V.LAKSHMINARAYANAN**

W.P.(MD).No.18569 of 2023
and
W.M.P.(MD).No.15400 of 2023

Thangaraj

.. Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Rajapalayam Taluk,
Rajapalayam,
Virudhunagar District.

3.The Municipal Commissioner,
Rajapalayam Municipality,
Rajapalayam,
Virudhunagar District.

4.A.P.Arjunan

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, calling for the records of the



W.P.(MD).No.18569 of 2023

impugned notice in F1/2481/2023 dated 12.07.2023 issued by the 3rd respondent and quash the same as illegal and consequently forbearing the respondents 1 to 3 from evicting or dispossessing the petitioner from Door Nos.7B and 7C in Aandathamman Kovil Street, Rajapalayam, Virudhunagar District.

For Petitioner : Mr.J.Karthick
For R-1 & R-2 : Mr.T.Amjad Khan
Government Advocate
For R-3 : Mr.N.Dilip Kumar

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.)

In view of the orders passed in W.P.(MD).No.19295 of 2021 dated 10.10.2023, the order passed by the third respondent herein in F1/2481/2023 dated 12.07.2023 is set aside, in view of the fact that we have directed the respondents 1 to 3 to conduct a re-survey, issue fresh show cause notice and thereafter, by affording opportunity to the encroachers, pass final orders.



W.P.(MD).No.18569 of 2023

2. Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

(S.M.S.,J.) (V.L.N.,J.)
10.10.2023

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

To

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Tahsildar,
Rajapalayam Taluk,
Rajapalayam,
Virudhunagar District.
- 3.The Municipal Commissioner,
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W.P.(MD).No.18569 of 2023

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W.P.(MD).No.18569 of 2023

10.10.2023