



W.P(MD)No.13570 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13570 of 2015

M.Kalavathy

... Petitioner

Vs

1.The Executive Engineer,
Public Works Department (WRO),
(GA Canal Division),
Thanjavur.

2.The Junior Engineer,
Public Works Department (WRO),
(GA canal Town Section No.I),
Thanjavur.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records pertaining to the impugned order of the second respondent herein in letter No. 36/Ko. 16/2015/K.Ka./Section-1/Thanjavur/ dated 17.07.2015 and quash the same.

For Petitioner : Mr.G.Mohankumar



WEB COPY



W.P(MD)No.13570 of 2015

For Respondents : Mr.S.RA.Ramachandran
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2. The petitioner was granted lease of the petition mentioned land by the first respondent. While so, by the impugned communication dated 17.07.2015, the second respondent had called upon the petitioner to surrender the same. As rightly pointed out by the learned counsel appearing for the petitioner, it is only the first respondent who could have issued the surrender notice or cancellation order.

3. In this view of the matter, the communication impugned in this writ petition is set aside. This writ petition is allowed. At this stage, the learned Additional Government Pleader informs the Court that in the year 2018, the first respondent himself had issued a proper notice. The learned counsel appearing for the petitioner does not have instruction in the matter. The first



W.P(MD)No.13570 of 2015

respondent is given liberty to issue a fresh notice and take action as per law.

There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

04.09.2023

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

To

1.The Executive Engineer,
Public Works Department (WRO),
(GA Canal Division),
Thanjavur.

2.The Junior Engineer,
Public Works Department (WRO),
(GA canal Town Section No.I),
Thanjavur.



WEB COPY



W.P(MD)No.13570 of 2015

G.R.SWAMINATHAN, J.

MGA

W.P(MD)No.13570 of 2015

04.09.2023