



W.P(MD)No.13658 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.09.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13658 of 2015
and
M.P.(MD)Nos.1 and 2 of 2015

P.Raja

... Petitioner

Vs.

- 1.The District Collector,,
Office of the District Collector,
Madurai- 625 020.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Madurai, Madurai District.
- 3.The Tahsildar,
Madurai East Circle,
Madurai.
- 4.The Assistant Electrical Engineer, (Distribution)
Tamil Nadu Electricity Board,
Uranganpatti, Madurai- 20.
- 5.The Secretary,
Madurai Hosiery Industries Association,
Madurai Hosiery Industrial Estate,
Uranganpatti, Sivagangai Road,
Varichiyoor Post, Madurai- 20.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pertaining to the Eviction Order dated 24.07.2015 of the 3rd Respondent vide his proceedings in Na.Ka.No.5912/2015A3 in respect of petitioner's concern and quash the same.

For Petitioner : Mr.D.Senthil

For Respondents : Mr.M.Siddharthan,
Addl. Government Pleader for R1 to R3.
Mr.S.Deenadhayalan,
Standing Counsel for R4.
Mr.V.Sakthivel for R5.

ORDER

Heard both sides.

2.By the impugned notice, the Tahsildar has called upon the petitioner to vacate from the petition mentioned premises. The same is impugned primarily on the ground that the Tahsildar has no jurisdiction in the matter. If the land in question is a Government land or has been classified as public pathway, then the authority can probably interfere in the matter. When there is nothing on record to show that it is a government land, the third respondent erred in issuing the impugned notice.



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3. When the matter was taken up for hearing, the learned Additional Government Pleader submitted that in respect of the petition mentioned land O.S.No.72 of 2015 is pending on the file of District Munsif Court, Melur. The rights of the parties will abide by the outcome of the said suit. The impugned notice is set aside and the writ petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

19.09.2023

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

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Office of the District Collector,
Madurai- 625 020.
2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Madurai, Madurai District.
3. The Tahsildar,
Madurai East Circle,
Madurai.

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G.R.SWAMINATHAN, J.

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