



W.P(MD)No.21562 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 07.09.2023

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.21562 of 2023
and
W.M.P.(MD)No.17964 of 2023

T.Sathiyathilagam

... Petitioner

Vs.

- 1.The District Collector,
Tenkasi District,
Tenkasi.
- 2.The Revenue Divisional Officer,
Tenkasi District, Tenkasi.
- 3.The Tahsildar,
Tenkasi Taluk,
Tenkasi District.
- 4.The Assistant Executive Engineer,
Department of Water Resources,
Chitraru Basin Sub-Division II,
Tenkasi.
- 5.T.Jeyamurugan



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6.P.Ramakrishnan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pursuant to the impugned order in No.Ko.12/2023/VuPoII(The) dated 09.08.2023 passed by the 4th respondent on the basis of recommendation made by the 3rd respondent by his letter proceedings in Na.Ka.No.A1/25 2022 dated 03.08.2023 for removal of alleged encroachment in biased manner to quash the same as illegal.

For Petitioner : Mr.B.Anandan

For Respondents : Mr.Mr.M.Siddharthan,
Addl. Government Pleader for R1 to R4.

ORDER

Heard the learned counsel for the writ petitioner and the learned Special Government Pleader for the official respondents.



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2.By the impugned communication dated 09.08.2023, the fourth respondent had called upon the petitioner to remove the name board installed by the writ petitioner.

3.The petitioner has enclosed photographs. It is seen therefrom that the petitioner had installed the name board in a poramboke land. Admittedly, it does not belong to the petitioner. The petitioner has not shown as to how he is entitled to install the name board in the site in question. It is true that the impugned communication has been issued without notice. But in a case of this nature, issuance of notice is not really required. The petitioner has to necessarily to remove the same on his own. If he does not do so, the impugned order will be enforced by the fourth respondent without any delay. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S.J.) & (B.P.J.)
07.09.2023

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

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**G.R.SWAMINATHAN, J.
and
B.PUGALENDHI, J.**

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