



W.P.(MD) No.13203 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :16.03.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.13203 of 2016

and

W.M.P (MD) No. 9943of 2016

1. Jayaraman
2. Mani
3. Ramamirdham
4. Nallammal
5. Katturaja
6. Kajendiran
7. S.Raja @ Prabhakaran

... Petitioner

Vs.

1. The District Collector,
Thanjavur District, Thanjavur.

2. The Tahsildar,
Thiruvudaimaruthur Tk,
Thanjavur District, Thanjavur.

3. The Executive Officer,
Selection Grade Panchayat, Aduthurai,
Thanjavur District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the 3rd respondent impugned notice in Na.Ka.No. 162/2016 A1



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dated 4.7.2016 and quash the same consequently forbearing the respondents, their men, agents and/or anybody else claiming through them from interfering with our possession and enjoyment of dwelling houses situated in Natham PUramboku land, in Survey No. 236/14 at Pillayar Koil Street, Mela Maruthuvakkudi, Aduthurai- 612 101, Thiruvudaimaruthur Taluk, Thanjavur District, except under due process of law by considering our representation dated 30.06.2016.

For Petitioner :Mr.A.Haja Mohideen

For Respondents :Ms.D.Farjana Ghoushia
Special Government Pleader for R1 & R2
No appearance for R3

ORDER

The petitioners assailed notices dated 04.07.2016 by which they were called upon to remove the encroachment within fifteen days from the date of receipt of the notice.

2. Learned Special Government Pleader submits that the lands under occupation by the petitioners are Government lands and that the petitioners were invited to a peace committee meeting, which the petitioners attended. She further submits that any action for eviction of the petitioners would be in accordance with law and that the petitioners have a remedy



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under G.O.Ms.No.540, dated 14.12.2014.

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3. In view of the above submissions, the petitioners are in a position to raise objections in relation to the eviction either under the relevant provisions of the Tamil Nadu Land Encroachment Act, 1905 or in terms of G.O.Ms.No.540.

4. By leaving it open to the petitioners to take action in accordance with law and G.O.Ms.No.540, dated 14.12.2014, W.P. (MD) No.13203 of 2016 is disposed of without any order as to costs. Consequently, connected Miscellaneous Petition is closed.

16.03.2023

NCC :No
Internet :Yes
Index :No
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To

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SENTHILKUMAR RAMAMOORTHY, J.

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