



W.P.(MD)No.24754 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 19.10.2023

CORAM

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**
AND
THE HONOURABLE **MR.JUSTICE V.LAKSHMINARAYANAN**

W.P.(MD)No.24754 of 2023
and W.M.P.(MD) Nos.20939 to 20942 of 2023

R.Amutha

...Petitioner

-Vs.-

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Madurai.

3.The Tahsildar,
North Taluk,
Madurai.

4.The Assistant Engineer,
Water Resources Department,
Periyar River Basin Division,
T.Andipatti,
Madurai – 2.

5.S.Balamurugan

...Respondents

PRAYER:- Writ Petition filed under Article 226 of Constitution of India,
praying for issuance of a Certiorarified Mandamus, to call for the records



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pertaining to the impugned Form - II notice dated 22.04.2023 and communication dated 21.09.2023 issued by the 3rd respondent and consequential notice dated 05.10.2023 issued by the 4th respondent in respect of the removal of the dwelling house of the petitioner lies in survey number 294 in new survey number 69/1 and to quash the same as illegal and consequently directing the 3rd respondent to issue patta in the name of the petitioner to the extent of 1206 square feet in the very same survey number 69/1 old survey number 294 of Paravai II bit revenue Village, North Taluk of Madurai District.

For Petitioner : Mr.C.M.Arumugam

For Respondents : Mr.T.Amjadkhan
Government Advocate
for R1 to R4

ORDER

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

Learned Government Advocate submitted the copy of the letter dated 13.10.2023, addressed to the Government Pleader by the Tahsildar, Madurai North, stating that the encroachments in the subject property had already been removed by following the procedures.



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2. Learned counsel for the petitioner made a submission that an appeal was preferred under Section 10 of the Tamil Nadu Land Encroachment Act, 1905.

3. It is needless to state that the appellate authority on receipt of any such appeal has to decide the same on merits and in accordance with law.

4. With the above observation, the Writ Petition stands dismissed. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

[S.M.S.J.] & [V.L.N.J.]
19.10.2023

NCC :Yes/No
Index :Yes/No

SJ

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V. LAKSHMINARAYANAN, J.

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