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W.P.(MD)NO.30768 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.30768 of 2023 AND
W.M.P.(MD)No.26431 of 2023

Vijayalakshmi

... Petitioner

Vs.

1. The District Collector,
Pudukottai District.

2. The Tahsildar,
Tirumayam Taluk,
Pudukottai District.

3. The Assistant Engineer,
P.W.D/W.R.O.,
Irrigation Section,
Tirumayam,
Pudukottai District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the Form - III notice dated 04.12.2023 issued by the 3rd respondent, for removing the alleged encroachment by the petitioner in Thamarai Kanmoi comprised in S.No.212/5, in Tirumayam in Pudukkottai District



and quash the same as it is arbitrary and illegal and thus render justice.

For Petitioner : Mr.R.Suriya Narayanan

For Respondents : Mr.K.Balasubramani,
Special Government Pleader.

* * *

ORDER

Heard both sides.

2. It is seen that even without issuing prior show cause notice, the impugned Form III notice was issued. On the ground of violation of procedure, the impugned Form III notice is set aside.

3. Liberty is given to the respondents to initiate fresh action as per law. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
21st December 2023

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

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To:

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Pudukottai District.
2. The Tahsildar,
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3. The Assistant Engineer,
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