



WEB COPY



W.P.No.4927 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2024

CORAM :

THE HON'BLE MR. JUSTICE R.MAHADEVAN

AND

THE HON'BLE MR. JUSTICE MOHAMMED SHAFFIQ

W.P.No.4927 of 2024

1.Narayanamma
2.Ganesh
3.Venkatesh
4.Minor Mani
5.Anjappa

.. Petitioners

Vs

1.The District Collector,
Krishnagiri District,
Krishnagiri.

2.The Commissioner,
Hosur Municipality,
Hosur 635 109.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari to call for the records pertaining to the impugned notice in Na.Ka.No.6365/2019/F1, dated /01.2024 (signed on 3.1.2024) (served in person on 24.1.2024) on the file of the second respondent, quash the same.



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For the Petitioners : Mr.M.Marudhachalam

For the Respondents : Mr.Karthik Jagannathan
Government Advocate
for respondent No.1

: Mr.T.Balaji
for respondent No.2

ORDER

(Order of the Court was made by R.MAHADEVAN,J.)

We have heard Mr.M.Marudhachalam, learned counsel for the petitioner; Mr.Karthik Jagannathan, learned Government Advocate appearing on behalf of the first respondent; and Mr.T.Balaji, learned counsel for the second respondent.

2. Claiming the properties which are in possession of the petitioners to be their patta lands, the petitioners replied to the notices issued earlier and thereafter nothing transpired. However, surprisingly, on 3.1.2024, treating the petitioners as encroachers, notice under Section 128(1)(b) of the Tamil Nadu Urban Local



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Bodies Act, 1998 has been issued. Assailing the said notice, this writ petition has been filed.

3. Without going into the merits of the matter, we dispose of the writ petition with the following directions:

- (i) The petitioners are permitted to file proper representation, enclosing all the relevant documents, before the second respondent within three weeks from the date of receipt of a copy of this order.
- (ii) On such filing, the second respondent shall consider the representation and pass necessary orders, after providing opportunity to the petitioners, within four weeks thereafter.
- (iii) The parties are directed to maintain status-quo till the second respondent passes necessary orders.

There shall be no order as to costs. Consequently, W.M.P.Nos.5403 and 5404 of 2024 are closed. W.M.P.No.5402 of 2024 filed to permit the petitioners to file a single writ petition is



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ordered, inasmuch as the petitioners have paid separate sets of court-fee.

(R.M.D., J.)

(M.S.Q., J.)

28.02.2024

Index : No
Neutral Citation : No
sasi

To

1.The District Collector,
Krishnagiri District,
Krishnagiri.

2.The Commissioner,
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Hosur 635 109.



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R.MAHADEVAN,J.
AND
MOHAMMED SHAFFIQ,J.
(sasi)

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