



W.P.No.10441 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.10441 of 2024

Angalammal @ Sivagangai

.. Petitioner

Vs.

1. The Additional Chief Secretary
Chief Secretariat, U.T. of Puducherry.
2. The Deputy Collector (Revenue) (North)
Saram Revenue Complex, Puducherry.
3. The Commissioner
Ariankuppam Commune Panchayat
Ariankuppam, Puducherry.
4. The Member Secretary
Pondicherry Planning Authority
Jawahar Nagar, Puducherry.
5. The Tahsildar
Taluk Office, Mudaliarpur
Puducherry.
6. The Director
Department of Survey and Land Records
Puducherry.



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7. The Pondicherry Industrial Workers Co-op Housing Society
Rep. by its Secretary, Subbiah Nagar
Thattanchavady, Pondicherry.

8. AFT Rajiv Gandhi Nagar Kudiyiruppor Nalachangam
Rep. by its President Mr.Rajasekaran
Plot No.67, Rajiv Gandhi Nagar
Poranankuppam, Ariankuppam
Commune Panchayat
Pondicherry-605 007.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari, calling for the entire records in pursuant to the memorandum issued by the 3rd respondent to the petitioner vide No.20-01/2019-VR/AKoPa/188 dated 21.03.2024 and quash the same.

For the Petitioner : Mr.T.P.Prabakaran

For the Respondents : Mr.S.Ravee Kumar
Government Pleader (Puducherry)
for R1 to R6

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.T.P.Prabakaran, learned counsel for the petitioner and Mr.S.Ravee Kumar, learned Government Pleader (Puducherry) for respondents 1 to 6.



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2. It is submitted that the petitioner has already filed a civil suit challenging the sale deed executed by her mother dated 12.03.1999 and also the subsequent transactions. However, the third respondent has passed an order of eviction against the petitioner.

3. Learned Government Pleader (Puducherry) submits that it is not an order of eviction. It is a memorandum, issued prior to proceeding for eviction under the provisions of the Puducherry Village and Commune Panchayats Act, 1973. The petitioner can file her reply/say and thereafter only, further proceedings for eviction of encroachments, if any, would be undertaken.

4. In view of the aforesaid submissions, the present writ petition stands disposed of. There shall be no orders as to costs.

(S.V.G., C.J.) (J.S.N.P., J.)
17.04.2024

Index : Yes/No
Neutral Citation : Yes/No

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