



W.P(MD)Nos.2643 & 2736 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.02.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)Nos.2643 & 2736 of 2024
and
W.M.P(MD)Nos.2658, 2659, 2660, 2733, 2734 & 2735 of 2024**

S.Manju ... Petitioner in W.P(MD)No.2643/2024

Andichiyammal ... Petitioner in W.P(MD)No.2736/2024

vs.

- 1.The District Collector,
Trichy District,
Trichy.
- 2.The District Revenue Officer,
Trichy District,
Trichy.
- 3.The Revenue Divisional Officer,
Srirangam,
Trichy District.
- 4.The Tahsildar,
Manapparai Taluk,
Trichy District.



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5.The Block Development Officer,
Manapparai Taluk,
Trichy District.

6.The Commissioner,
Manapparai Municipality,
Manapparai Town & Taluk,
Trichy District.

7.The Superintending Engineer,
TANGEDCO,
Trichy.

8.The Assistant Engineer,
Tamil Nadu Electricity Board,
Manapparai Town,
Manapparai,
Trichy District.

... Respondents in both W.Ps'

PRAYER in W.P(MD)No.2643 of 2024: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned notice in Na.Ka.No.1054/2022/F1 dated 17.04.2023 issued by the sixth respondent and quash the same as illegal and consequently direct the respondents 6 to 8 to restore the Electricity Service Connection vide No. 241-111-1195 to the petitioner's house in No.661, Puthanatham Road, Fathimamalai, Manapparai, Trichy District by considering the petitioner's representation, dated 01.02.2024.

For Petitioner

: Mr.S.Senthil Kumar

For Respondent Nos.1 to 5

: Mr.N.Satheesh Kumar
Additional Government Pleader



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For Respondent No.6

: Mr.M.Siddharthan
Additional Government Pleader

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PRAYER in W.P(MD)No.2736 of 2024: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned notice in Na.Ka.No.1054/2022/F1 dated 17.04.2023 issued by the sixth respondent and quash the same as illegal and consequently direct the respondents 1 to 8 not to disturb the peaceful possession of the petitioner.

For Petitioner

: Mr.S.Senthil Kumar

For Respondent Nos.1 to 4

: Mr.S.P.Maharajan
Additional Government Pleader

For Respondent No.6

: Mr.M.Siddharthan
Additional Government Pleader

COMMON ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

W.P(MD)No.2643 of 2024 has been filed by the petitioner to quash the impugned notice dated 17.04.2023 issued by the sixth respondent in Na.Ka.No.1054/2022/F1 and consequently direct the respondents 6 to 8 to restore the Electricity Service Connection vide No.241-111-1195 to the petitioner's house in No.661, Puthanatham Road,



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Fathimamalai, Manapparai, Trichy District by considering the petitioner's representation, dated 01.02.2024.

2.W.P(MD)No.2736 of 2024 has been filed by the petitioner to quash the impugned notice in Na.Ka.No.1054/2022/F1 dated 17.04.2023 issued by the sixth respondent and consequently direct the respondents 1 to 8 not to disturb the peaceful possession of the petitioner.

3.According to the petitioners, on the earlier occasion, one K.Vedikkai Chellaiah filed a Writ Petition in W.P(MD)No.25999 of 2022 seeking to remove the encroachments in the subject property and this Court dated 17.11.2022, directed the authorities concerned to remove the encroachments, if any, after affording due opportunity to the parties concerned and by following due process of law. Though the petitioners are having patta for their respective properties, the sixth respondent, without conducting any survey and issuing a prior notice, issued the impugned notices, dated 01.02.2024 and started the eviction process, which is contrary to the principles of natural justice. Challenging the said impugned orders, the present Writ Petitions have been filed.



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4.Mr.M.Siddharthan, learned Additional Government Pleader appearing for the sixth respondent, on instructions, would submit that the petitioners have produced forged patta before this Court and the subject property is not a patta land as per the revenue records. To that effect, he has also produced a communication, dated 08.02.2024 received from the Commissioner, Manapparai Municipality.

5.Considering the facts and circumstances of the case, we are not inclined to grant any relief to the petitioners. Accordingly, these Writ Petitions are dismissed. However, it is open to the petitioners to approach the authority concerned for appropriate remedy in the manner known to law, if they are so advised. No costs. Consequently, connected Miscellaneous Petitions are closed.

[D.K.K.,J.] [R.V.,J.]
08.02.2024

NCC : Yes / No
Index : Yes / No
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- 8.The Assistant Engineer,
Tamil Nadu Electricity Board,
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D. KRISHNAKUMAR,J.
and
R.VIJAYAKUMAR,J.

ps

ORDER MADE IN
W.P(MD)Nos.2643 & 2736 of 2024

DATED : 08.02.2024