



WEB COPY



W.P(MD)No.6649 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :19.03.2024

CORAM:

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

**W.P(MD)No.6649 of 2024
and
W.M.P(MD)No.6195 of 2024**

M.Sumithra

... Petitioner

vs.

1.The District Collector,
Tirunelveli District,
Collectorate, Kokkirakulam,
Tirunelveli.

2.The Executive Officer,
Mukkodal Selection Grade Town Panchayat,
Panchayat Office,
Mukkodal – 627601.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the Office Memo bearing No.46/2024, dated 05.03.2024 issued by the 2nd respondent herein and quash the same as illegal and consequently directing the 2nd respondent not to interfere with the petitioner's rights in Survey No.277/15 and 277/20 of Mukkoodal Village, Cheranmahadevi Taluk, Tirunelveli District in unlawful manner.



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For Petitioner : Mr.P.Subbiah

For Respondents : Mr.N.Satheesh Kumar,
Additional Government Pleader

ORDER

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

The petitioner has filed this writ petition to quash the Office Memo bearing No.46/2024, dated 05.03.2024 issued by the 2nd respondent herein and consequently to direct the 2nd respondent not to interfere with the petitioner's rights in Survey Nos.277/15 and 277/20 of Mukkoodal Village, Cheranmahadevi Taluk, Tirunelveli District, in unlawful manner.

2. When the writ petition is taken up for hearing today, the learned Additional Government Pleader appearing for the respondents, would fairly submit that the impugned notice is issued to remove the encroachment made in Survey No.227/22 of Mukkoodal Village, which is shown as a public pathway and the petitioner is nothing to do with the said survey number.



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3. In view of the above, the writ petition is allowed and the impugned notice issued by the second respondent, dated 05.03.2024, is quashed insofar as the petitioner is concerned. No Costs. Consequently, connected Miscellaneous Petition is closed.

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

19.03.2024

NCC : Yes / No
Index : Yes / No
PM

To:

- 1.The District Collector,
Tirunelveli District,
Collectorate, Kokkirakulam,
Tirunelveli.
- 2.The Executive Officer,
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D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

PM

ORDER MADE IN
W.P(MD)No.6649 of 2024

DATED :19.03.2024