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W.P.(MD)NO.15291 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.15291 of 2024 AND

W.M.P.(MD)Nos.13406 & 13407 of 2024

L.Rajadurai

... Petitioner

Vs.

1. The District Collector,
Sivagangai District,
Sivagangai.

2. The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

3. The Block Development Officer,
Sakkottai Panchayat Union,
Sivagangai District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the third respondent in Na.Ka.A2/904/2022 dated 13.06.2024 and quash the same and consequently directing the respondents 1 and 2 to issue patta to the petitioner in respect of portion of land in survey No.51/14 at Iluppakudi Village, Sakkottai Panchayat Union, Karaikudi Taluk, Sivagangai District by considering the appeal preferred by the petitioner before the first



respondent under Section 10 of Tamil Nadu Land Encroachment Act dated 15.06.2024.

For Petitioner : Mr.A.Karthik

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

* * *

ORDER

Heard both sides.

2. The last sentence found in the impugned memorandum proposing removal of encroachment through police alone is set aside. The jurisdictional Tahsildar or the competent authority is very much having power to take the matter further. If there is any encroachment in the water body, it has to be removed.

3. With this liberty to the respondents, this writ petition is partly allowed. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)

16th July 2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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Sivagangai District,
Sivagangai.
2. The Tahsildar,
Karaikudi Taluk,
Sivagangai District.
3. The Block Development Officer,
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