



W.P(MD)No.17331 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 13.06.2024

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.17331 of 2021
and
W.M.P.(MD)Nos.14209, 14210 and 14211 of 2021

S.Abdul Wahab

... Petitioner

Vs.

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Public Works Department,
Rep. by its Assistant Engineer,
Irrigation Section No.II,
Periyar Vaigai Basin Sub Division No.1,
Madurai - 02.
- 3.The Junior Engineer,
The Public Works Department,
Irrigation Section No.II,
Periyar Vaigai Basin Sub Division No.1,
Madurai – 02.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to



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call for the records pertaining to the impugned order in Letter No./Ko/U.Po.2 Madurai dated 27.08.2021 on the file of the Respondent No.2 and quash the same as illegal and consequently forbear the respondents from evicting the petitioner in Survey No.246/3b, Tallakulam village, Madurai North Tk, Madurai District without following the due process of law.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.K.S.Selvaganesan,
Spl. Government Pleader.

ORDER

The impugned Form – III notice is in respect of S.No.53. The petitioner is having patta only in respect of S.No.247/2A, 2B and 2B2. It is undertaken by the learned counsel on either side that survey will be conducted in respect of the aforesaid properties on 24.06.2024 from 09.00 am onwards. The petitioner will not receive any fresh survey notice. Based on the outcome of the survey exercise, the encroachments can be removed within a period 15 days thereafter. We make it clear that the petitioner's patta lands will not be touched.



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2.This writ petition is disposed of accordingly. No costs.

Consequently, connected miscellaneous petitions are closed.

(G.R.S.J.) & (B.P.J.)
13.06.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:-

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Assistant Engineer,
The Public Works Department,
Irrigation Section No.II,
Periyar Vaigai Basin Sub Division No.1,
Madurai - 02.
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The Public Works Department,
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