



W.P(MD)No.5752 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2024

CORAM :

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE G.ILANGOVAN**

W.P.(MD)No.5752 of 2018

and

W.M.P.(MD)No.7589 of 2018

G.Selvarathinam

Petitioner

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Vs.

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Revenue Divisional Officer,
Pudukkottai,
Pudukkottai District.

3.The Tahsildar,
Karambakudi Taluk,
Pudukkottai,
Pudukkottai District.



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4.The Block Development Officer,
Karambakudi Town Panchayat,
Karambakudi Taluk,
Pudukkottai,
Pudukkottai District.

..

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order of Na.Ka.No.754/17 passed by the third respondent and quash the same and consequently direct the respondents to remove the commercial buildings in Survey No.708/1 situated at Sekkadi, Karambakudi Taluk, Pudukkottai District within a stipulated time that may be fixed by this Court.

For Petitioner : Mrs.S.Banumathi
for Mr.A.Mithun Chakravarthi
For Respondents : Mr.P.Thilak Kumar – for R1 to R3
Government Pleader
No appearance – for R4

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]



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We have heard Mrs.S.Banumathi for Mr.A.Mithun Chakravarthi, learned Counsel appearing for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents 1 to 3.

2.The learned Counsel for the petitioner submits that land bearing S.No.708/1 at Sekkadi, Karambakudi Taluk, Pudukkottai District, is a Natham Poramboke land. However, commercial activity is taking place on the said land.

3.The alleged persons who are carrying out commercial activity in the said land are not parties before us. Adverse orders can be passed in the absence of a party.

4.The petitioner may make a representation with the competent authority. If such a representation is received, the competent authority shall after following the principles of natural justice decide the said representation in accordance with law and on merits, preferably within six [6] months from the date of the representation.

5.Accordingly, the Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.



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[G.I., J.]

[S.V.G., C.J.]

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Index : Yes / No
Neutral Citation : Yes / No
MR

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THE HONOURABLE CHIEF JUSTICE
and
G.ILANGO VAN, J.

MR

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