



W.P.(MD)No.19367 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2024

CORAM:

THE HONOURABLE **MR.JUSTICE P.VELMURUGAN**

AND

THE HONOURABLE **MR.JUSTICE K.K.RAMAKRISHNAN**

W.P.(MD)No.19367 of 2024

and

W.M.P.(MD)No.16419 of 2024

P.Murugan

... Petitioner

Vs.

1.The District Collector,  
Virudhunagar District,

2.The Tahsildar,  
Kariyapatti Taluk, Virudhunagar District.

3.The President,  
Mustakurichi Village Panchayat,  
Kariyapatti, Virudhunagar.

...Respondents

**PRAYER:** Petition filed under Article 226 of Constitution of India, praying this Court to issue Writ of Certiorari, calling for the records relating to the impugned notice dated 08.2024 and quash the same as devoid of merits.

For Petitioner : Mr.K.Neethimohan

For R1 & R2 : Mr.S.P.Maharajan,  
Special Government Pleader

For R3 : Mr.S.R.A.Ramachandran,  
Additional Government Pleader



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**ORDER**

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(Order of the Court was made by *P.VELMURUGAN, J.*)

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.The learned counsel appearing for the petitioner would submit that in the earlier Writ Petition filed by the very same petitioner in W.P.(MD)No.8395 of 2024, this Court, vide order dated 02.04.2024, has directed the authorities concerned to conduct survey. However, without conducting any survey and without giving any opportunity to the petitioner, now, the 3<sup>rd</sup> respondent has issued the impugned notice, directing the petitioner to remove the encroachment himself on or before 13.08.2024.

3.He would further submit that though the petitioner has filed this Writ Petition seeking Writ of Certiorari, challenging the impugned eviction notice, now, he has restricted his prayer only to Writ of Mandamus, seeking a direction to the authorities concerned to conduct survey of the land in question.

4.Considering the limited prayer sought for by the petitioner, this Court directs the official respondents to conduct survey of the land in question,



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after issuing notice to the parties concerned and if the survey reveals that the petitioner is an encroacher, necessary action shall be taken by the authorities concerned to remove the encroachment in accordance with law. Such an exercise is directed to be completed within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

**[P.V, J.] & [K.K.R.K., J.]**  
**12.08.2024**

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

*Yuva*

To

1. The District Collector,  
Virudhunagar District,
2. The Tahsildar,  
Kariyapatti Taluk, Virudhunagar District.
3. The President,  
Mustakurichi Village Panchayat,  
Kariyapatti, Virudhunagar.



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**P.VELMURUGAN, J.**  
**AND**  
**K.K.RAMAKRISHNAN, J.**

*Yuva*

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