



W.P.(MD) No.21347 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.21347 of 2022

and

W.M.P.(MD)No.15506 of 2022

K.Mumathu

... Petitioner

-Vs-

- 1.The Director,
The Directorate of Municipal Administration,
Urban Administrative Building, R.A.Puram, Chennai.
- 2.The District Collector,
Tenkasi District, Tekasi.
- 3.The Tahsildar,
Kadayanallur Taluk,
Tenkasi District.
- 4.The Commissioner,
Puliyangudi Municipality,
Tenkasi District.

5.Kumar Singh

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the impugned Notification dated 01.09.2022, passed by the 4th respondent herein, under Na.Ka.No.1456 of



W.P.(MD) No.21347 of 2022

2022/F1, pertaining to selectively choosing the petitioner's Brick industry as so called encroachment and to quash the same as illegal and further direct the 4th and 5th respondents to initiate such encroachment process upon the actual encroachers under S.No.237, 338, 249/279p, 351/1, 351/2, 263/1 and 263/2 of Puliyangudi Village, Kadayanalur Taluk, Tenkasi District.

For Petitioner	: Mr.J.Barathan for Mr.K.R.Laxman
For R1 to R4	: Mr.S.P.Maharajan Special Government Pleader
For R5	: Mr.J.Pandidorai

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

Challenging the survey notice issued by the fourth respondent dated 01.09.2022, the petitioner has filed this present writ petition.

2.The learned counsel for the fifth respondent submits that the survey notice was issued to survey the property situated at Survey No.16/2, which is classified as Mayanam Poromboke at Puliyanakuid Village and to remove the encroachments made thereupon.

3.The learned counsel for the petitioner submits that he has not encroached upon the property in question as alleged by the respondents.



W.P.(MD) No.21347 of 2022

4. Recording the submissions made by the learned counsel appearing on either side, this writ petition is disposed of. If it is found that the petitioner has encroached upon the subject property, the authorities concerned are permitted to remove such encroachment without issuing any further notice to the petitioner. No costs. Consequently, connected miscellaneous petition is closed.

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

30.01.2024

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

To

1. The Director,
The Directorate of Municipal Administration,
Urban Administrative Building,
R.A.Puram, Chennai.
2. The District Collector,
Tenkasi District, Tekasi.
3. The Tahsildar,
Kadayanallur Taluk,
Tenkasi District.
4. The Commissioner,
Puliyangudi Municipality,
Tenkasi District.



WEB COPY



W.P.(MD) No.21347 of 2022

D.KRISHNAKUMAR, J.

AND

R.VIJAYAKUMAR, J.

ta

W.P.(MD)No.21347 of 2022

30.01.2024