



W.P.(MD) No.15148 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.15148 of 2018

and

W.M.P(MD)Nos.13706, 13707 & 15408 of 2018

M.Gurusamy

... Petitioner

Vs.

1. The District Collecgtor
Virudhunagar District, Virudhunagar.
2. The Revenue Divisional Officer,
Aruppukkottai Taluk, Aruppukkottai,
Virudhunagar District
3. The Tahsildar
Taluk Office,
Aruppukkottai,
Virudhunagar District
4. The Block Development Officer,
Aruppukkottai, Virudhunagar District. Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for records of the Respondents resulting in the 3rd Respondents Impugned Notice in letter Na.Ka.No.2655, dated 04.07.2018 served on 07.07.2018 at about 05.30 p.m. and quash the same and direction directing the



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Respondents to give all sort of reasonable opportunity to the Petitioner as contemplated under the Act and take measurement through Assistant Director of Survey to survey the Petition Shop situated at D.No.9/74 Pandalgudi Main Road, Aruppukottai Taluk, Virudhunagar District, in order to ascertain the real fact regarding the correct measurement based on the title deeds of the petitioner.

For Petitioner :Mr.V.R.Venkatesan

For R-1 to R-3 :Mr.S.P.Maharajan,
Special Government Pleader

For R-4 :Mr.J.Ashok,
Additional Government Pleader

ORDER

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

The petitioner has filed this writ petition challenging the notice in letter Na.Ka.No.2655, dated 04.07.2018, issued by the third respondent.

2. The learned Special Government Pleader appearing for the respondents 1 to 3, would contend that the writ petition itself is not maintainable on the ground that the notice challenged in this writ petition is only an internal communication sent by the third



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respondent to the fourth respondent and the same cannot be challenged.

3. We have also gone through the impugned communication. It is seen that the said communication is sent by the Tahsildar to the Block Development Officer, for taking action with regard to removal of encroachment. The said communication is an internal communication. Such an internal communication cannot be challenged before this Court and therefore, this writ petition is not maintainable and the same is liable to be dismissed.

4. In the result, this writ petition is dismissed with liberty to the petitioner to challenge the further proceedings if any. No Costs. Consequently, connected Miscellaneous Petitions are closed.

[D.K.K., J.]

[R.V., J.]

27.02.2024

Neutral Citation: Yes / No

Index : Yes / No

PM



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D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

PM

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