



W.P(MD)No.24369 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 17.10.2024

CORAM

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

**W.P(MD)No.24369 of 2024
and
W.M.P(MD)Nos.20688 & 20689 of 2024**

A.Manimegalai

... Petitioner

Vs.

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Tahsildar,
Madurai East Taluk,
Madurai District.
- 3.The Assistant Engineer,
Water Resource Department,
Periyar Main Channel Branch,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari calling for the records of the impugned eviction notice No. Nil dated 09.10.2024 passed by the third respondent and quash the same as illegal and consequently forbear the respondents from evicting the petitioner's



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house having Survey Number 18/8 situated at Ya.Pudupatti Village, Madurai East Taluk, Madurai District.

For Petitioner : Mr.A.Vadivel

For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

Heard both sides.

2.The petitioner has been called upon to vacate from Survey No.18/8, Ya.Pudupatti Village, Madurai District. It is beyond dispute that the said survey number has been classified as “Odai (Waterbody)”. The petitioner is not having any patta. She has put up a residential house. Therefore, we are of the view that the petitioner deserves to be granted sufficient time to make alternative arrangements. The petitioner is granted six months time from today to vacate. If the petitioner fails to vacate even thereafter, the impugned order will be enforced thereafter. The petitioner is also given liberty to apply to the District Collector / first respondent for allotment of alternative site / accommodation. If the petitioner is eligible, the same shall be appropriately considered by the first respondent. The first respondent shall pass an order within a period of three months from the date of receipt of application from the writ petitioner.



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3.This Writ Petition is disposed of accordingly. There shall be no

order as to costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [B.P., J.]

17.10.2024

NCC : Yes / No

Internet : Yes / No

Index : Yes / No

MGA

To

1.The District Collector,
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Madurai.

2.The Tahsildar,
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Madurai District.

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