



W.P. No.4592 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR
and
THE HONOURABLE MRS.JUSTICE K. GOVINDARAJAN THILAKAVADI

W.P. No.4592 of 2025 and W.M.P. No.5107 of 2025

T.M. Karuppusamy

Petitioner

vs.

1. The Revenue Tahsildar
Gobichettipalayam
Erode District
2. The Executive Officer
Koogalur Town Panchayath
Gobichettipalayam Taluk
Erode District

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari calling for the records relating to the impugned notice dated 17.01.2025 passed in Na.Ka. 7104/2024/A1 on the file of the first respondent and quash the same.

For petitioner

Mr. Kovi Ganesan

For R1

Mr. T.K. Saravanan
Additional Government Pleader

For R2

Mr. J.C. Durairaj
Additional Government Pleader



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ORDER

[made by M.SUNDAR, J.]

Captioned main 'writ petition' (hereinafter 'WP' for the sake of brevity) has been filed with a certiorari prayer assailing a 'notice dated 17.01.2025 bearing reference Na.Ka.7104/2024/A1' (hereinafter 'impugned notice' for the sake of convenience and clarity) issued by R1.

2. Subject matter of impugned notice is 'R.S. No.444/3 in Koogalur E Village, Koogalur E Sub Taluk, Gobichettipalayam Taluk, Erode District' (hereinafter 'said land' for the sake of convenience and clarity).

3. Mr. K. Kovi Ganesan, learned counsel on record for writ petitioner, advertent to the impugned notice, submits that in and by the impugned notice, R1 has directly called upon the writ petitioner to remove a wall and wire fencing, which, according to R1, is allegedly an encroachment. Learned counsel submits that the writ petitioner has not been given an opportunity, much less show caused.

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4. Issue notice.

5. Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice for R1 and Mr. J.C. Durairaj, learned Additional Government Pleader, accepts notice for R2.

6. Mr. T.K. Saravanan, learned State counsel for R1 very fairly submits that the impugned notice stands withdrawn. This submission is recorded.

7. Learned State counsel submits that some proceedings pertaining to said land is underway before jurisdictional Revenue Divisional Officer (RDO) and other proceedings (if any and if that be so) if commenced, will be such that writ petitioner is show caused. This submission is also recorded.

8. In the light of the narrative thus far, certiorari prayer has become otiose owing to the stated position of the learned State counsel for R1. However, though obvious, we make it clear that rights



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and contentions of both sides are preserved if fresh proceedings are commenced.

9. Captioned main WP is disposed of in the aforesaid manner. Consequently, captioned WMP thereat stands closed. There shall be no order as to costs.

(M.S., J.) (K.G.T., J.)
12.02.2025

cad
Index : Yes/No
NC : Yes/No



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To

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Gobichettipalayam
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M.SUNDAR, J.

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