



WEB COPY



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W.P.(MD)NO.2808 OF 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)Nos.2808, 2824 & 2828 of 2020

and

W.M.P.(MD)Nos.2374, 2375, 2389,2390, 2393 & 2394 of 2020

Saliyar Magajana Sangam,
Nadu Theru Keelpahudhi,
Rep. by its President
K.Sundararajan.

... Petitioner
in all WPs.

Vs.

1. The Assistant Engineer,
PWD/Water Resource Department,
Malvaiparu Irrigation Division-I,
Rajapalayam,
Virudhunagar District.

2. The Tahsildar,
Taluk Office,
Rajapalayam Town,
Virudhunagar District.

... Respondents
in all WPs.

Common Prayer: Writ petitions filed under Article 226 of the Constitution of India, issuing a Writ of Certiorari, calling for the records relating to the impugned eviction notice dated 30.01.2020 on the file of the respondent herein and to quash the same as illegal and arbitrary.



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(in all Wps.)

For Petitioner : Mr.M.Thirunavukkarasu

For Respondents : Mr.S.Vinoth,
Government Advocate.

* * *

COMMON ORDER

Heard both sides.

2. The prime ground of attack in all these petitions is that the impugned eviction action is not in consonance with the principles of natural justice. In particular, the learned counsel would contend that survey was not done in their presence. They also have few other points to urge in their favour at this stage. Since we are satisfied that there was no issuance of Form-II notice, the impugned eviction notice is quashed. The matter is remitted to the file of the respondents. It is open to the respondents to take action as per law. These writ petitions stand disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)

26th June 2025

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

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To:

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PWD/Water Resource Department,
Malvaiparu Irrigation Division-I,
Rajapalayam,
Virudhunagar District.
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