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W.P.(MD)NO.4430 OF 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.4430 of 2020 AND

W.M.P.(MD)Nos.3718 & 3720 of 2020

Asmath Begum

... Petitioner

Vs.

1. The District Collector,
O/o.the District Collector,
Virudhunagar District.
2. The Tahsildar,
Rajapalayam Taluk,
Virudhunagar District.
3. The Assistant Engineer(A.E.),
Public Works Department,
Water Resource Organisation,
Irrigation Division No1,
Melvaippar Drainage Sub-Division,
Rajapalayam,
Virudhunagar District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, issuing a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order in notice in Na.Ka.A6/7963/2019 of the second respondent dated 21.10.2019



and consequential notice in Padivam III of the third respondent dated 30.01.2020 and quash the same as illegal and consequently direct the second respondent to issue patta for the petitioner for the extent of 130 sq.m in survey No.1744/23 (old survey No.1103/7) situated in Melarajakularaman Village in Rajapalayam Block of Virudhunagar District.

For Petitioner : Mr.M.M.Iqbal

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

* * *

ORDER

Heard both sides.

2. The prime ground of attack in this writ petition 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 the presence of the petitioner. She also has few other points to urge in her 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.

This writ petition stands 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

PMU

To:

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O/o.the District Collector, Virudhunagar District.
2. The Tahsildar,
Rajapalayam Taluk, Virudhunagar District.
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AND

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PMU

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