

W.P.(MD)No.8432 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 26.03.2025

CORAM:

**THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MRS JUSTICE S.SRIMATHY**

W.P.(MD)No.8432 of 2025
and
W.M.P.(MD)No.6304 and 6305 of 2025

Ravirajpandiyan

...Petitioner

-Vs-

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Revenue Inspector,
Tenkasi.

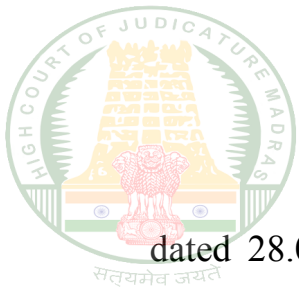
3.The Revenue Tahsildar,
Tahsildar Office, Tenkasi.

4.The Surveyor,
Tenkasi.

5.The Village Administrative Officer,
Ilanji Village,
Tenkasi District.

...Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned eviction notice in TKSTLK/1991/2023/B2,



W.P.(MD)No.8432 of 2025

dated 28.01.2025 issued by the 3rd respondent herein and quash the same as illegal and consequently direct the respondents not to evict the petitioner's peaceful possession and enjoyment of the property comprised in Survey No. 494/1, situated at Ilanji Village, Tenkasi Taluk, Tenkasi District based on the petitioners representation dated 21.02.2025.

For Petitioner : Mr.A.Banumathy
For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

(Order of the Court was made by **J.NISHA BANU, J.**)

By consent, this writ petition is taken up for final disposal at the stage of admission itself.

2.This writ petition is filed challenging the eviction notice issued by the third respondent.

3.The learned counsel for the petitioner submits that the petitioner has not made any encroachment as alleged by the respondents. He would further submit that the third respondent is not the competent authority to issue an order for removal of encroachment. Hence, he seeks to allow this writ petition.

4.The learned Additional Government Pleader appearing for the



W.P.(MD)No.8432 of 2025

respondents fairly submits that the third respondent has no jurisdiction to issue the order impugned in this writ petition.

5.In view of the above submission, the order impugned in this writ petition, dated 28.02.2025 is set aside on the sole ground that the third respondent has no authority to issue an order of eviction and this writ petition is allowed. It is made clear that if there is any encroachment made by the petitioner, the appropriate authority shall remove the same by following due process of law. No costs. Consequently, connected miscellaneous petitions are closed.

(J.N.B.,J.) (S.S.Y.,J.)
26.03.2025

Index : Yes/No
Internet : Yes/No
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and
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