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W.P.(MD)NO.11446 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)Nos.11446 to 11459 of 2024 AND

W.M.P.(MD)Nos.10185, 10188 to 10201, 10204, 10205, 24029, 24032, 24055, 24058, 24059, 24062, 24064 to 24066, 24086 to 24089, 24092 & 24096 of 2024

W.P.(MD)No.11446 of 2024

Namachivayam

... Petitioner

Vs.

1. The District Collector,
Tirunelveli District.

2. The Commissioner,
Ambasamudram Panchayat Union,
Ambasamudram Taluk,
Tirunelveli District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records in pursuant to the impugned eviction order issued by the second respondent in his proceedings Na.Ka.No.A3/3634/2023 dated 13.05.2024 and quash the same.



(in all WPs.)

For Petitioners : Mr.S.M.Mohan Gandhi

For Respondents : Mr.S.R.A.Ramachandran,
Additional Government Pleader.

* * *

COMMON ORDER

Heard both sides.

2. The petitioners question the final notice issued by the Commissioner, Village Panchayat, Ambasamudram. The commissioner called upon the petitioners to remove the encroachment committed by them in a water body.

3. The impugned notice itself reads that in the event of the petitioners' failing to comply with the demand set out in the notice, recourse will be taken as per the procedure set out in the Tamil Nadu Land Encroachment Act, 1905.

4. Therefore, the petitioners can reserve their rights, when proceedings are taken under the Tamil Nadu Land Encroachment Act.



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Granting liberty to the respondents to take recourse to the procedures set out in the Tamil Nadu Land Encroachment Act, these writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
04th March 2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

1. The District Collector,
Tirunelveli District.
2. The Commissioner,
Ambasamudram Panchayat Union,
Ambasamudram Taluk,
Tirunelveli District.



WEB COPY



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AND

B.PUGALENDHI, J.

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etc. batch

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