



W.P.(MD) No.12743 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.04.2025

CORAM:

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

AND

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.P.(MD)No.12743 of 2025

and

W.M.P.(MD)No.9199 of 2025

S.R.Sethuraman

... Petitioner

-Vs-

- 1.The District Collector,
Thanjavur District,
Thanjavur.
- 2.The Assistant Director,
Town Panchayats,
Thanjavur,
Thanjavur District.
- 3.The Tahsildar,
Thiruvaidaimaruthur Taluk Office,
Thiruvaidaimaruthur,
Thanjavur District.
- 4.The Executive Officer,
Thiruppuvanam Town Panchayat,
Thiruppuvanam,
Thanjavur District.



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5. The Inspector of Police,
Thiruvidadaimaruthur Police Station,
Thiruvidadaimaruthur,
Thanjavur District.

6. Gokul

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus forbearing the 4th respondent herein from demolishing and interfering with the petitioners peaceful possession and enjoyment of the house property in Door No.92 Survey No.644/53 situated at Ward No.10 Sannathi Street, Thiruppuvanam Town Panchayat, Thiruvidadaimaruthur Taluk, Thanjavur District without following the procedure in order passed by this Court in W.P(MD).4581 of 2025 dated 12.03.2025.

For Petitioner	: Mr.G.Gomathisankar
For R1 to R3	: Mrs.D.Farjana Ghoushia Special Government Pleader
For R4	: Mr.J.Ashok Additional Government Pleader
For R5	: Mr.A.Albert James Government Advocate (Crl.side)

ORDER

[Order of the Court was made by *J.NISHA BANU, J.*]

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.



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2.Mrs.D.Farjana Ghoushia, learned Special Government Pleader, takes notice for the respondents 1 to 3, Mr.J.Ashok, learned Additional Government Pleader, takes notice for the fourth respondent and Mr.A.Albert James, learned Government Advocate (Crl.side), takes notice for the fifth respondent. Considering the nature of the order proposed to be passed in this writ petition, notice to the sixth respondent is dispensed with.

3.The contention of the petitioner is that the subject property was purchased by the grandfather of the petitioner. After his demise, the father of the petitioner inherited the property and thereafter, the petitioner inherited the same. From the date of purchase, the family of the petitioner is in possession and enjoyment of the said property. The revenue records are also in the name of the petitioner's mother. While so, the third respondent issued eviction notice dated 01.04.2025 to the petitioner without following due process of law. Challenging the same, the petitioner filed an appeal before the second respondent herein. During the pendency of the appeal proceedings, the fourth respondent is taking an effective steps to demolish the building constructed by the petitioner in the petition mentioned property.



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4.He would further submit that the authorities concerned without considering the objections raised by the petitioner, are trying to demolish the building of the petitioner.

5.The learned Special Government Pleader appearing for the official respondents submits that the objection of the petitioner will be considered and necessary orders would be passed within the time stipulated by this Court.

6.In view of the above, the notice issued by the 01.04.2025 is treated as show cause notice and the petitioner is directed to submit his explanation / objection to the same, enclosing all the relevant materials to substantiate his claim within a period of three weeks from the date of receipt of a copy of this order. On receipt of such explanation / objection, the authority concerned is directed to consider the same and pass appropriate orders on merits and in accordance with law, after affording sufficient opportunity to all the parties concerned within a period of four weeks thereafter. If there is any encroachment in the place in question, the same shall be removed by the authority concerned by following due process of law.



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WEB COPY 7. With the above direction, this Writ Petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

[J.N.B., J.] & [S.S.Y., J.]
29.04.2025

NCC : Yes / No

Index : Yes / No

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