



W.P(MD)No.19337 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

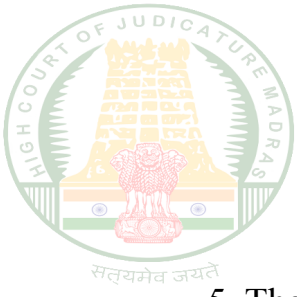
**W.P(MD)No.19337 of 2025
and
W.M.P.(MD) No.14866 of 2025**

Y.John Barnabas

... Petitioner

Vs

1. The District Collector,
Kanyakumari District @ Nagercoil.
2. The Assistant Director of Survey,
District Survey Office,
Kanyakumari District @ Nagercoil.
3. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Nagercoil, Kanyakumari District.
4. The Tahsildar,
Agastheeswaram Taluk,
Nagercoil,
Kanyakumari District.



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5. The Executive Officer,
Ganapathipuram Town Panchayat,
Grade-I Town Panchayat Office,
Ganapathipuram,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating to the Impugned Eviction Notice issued by the 5th Respondent herein in his proceedings vide Na.Ka.No.74/2023/A1 dated 01.07.2025, quash the same as illegal, arbitrary and as against the Principles of Natural Justice.

For Petitioner	:	Mr.B.Brijesh Kishore,
For Respondent	:	Mr.S.P.Maharajan (R1-R4) Special Government Pleader
	:	Mr.V.Om Prakash (R5) Government Advocate



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ORDER

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[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The final notice issued for removal of encroachment vide proceedings dated 01.07.2025 is under challenge in the present writ petition.

2.The authorities identified the encroachments and initiated enforcement action. The petitioner earlier filed a writ petition in W.P(MD)No.11383 of 2025 challenging the notice, dated 11.04.2025. This Court passed an order on 22.04.2025 granting opportunity to the petitioner to submit his explanations along with all relevant materials to establish his case. Despite the opportunity provided by this Court, the petitioner has not produced any document before the authorities. Thus, the authorities have taken a final decision and issued the final notice, dated 01.07.2025, which is impugned in the present writ petition.



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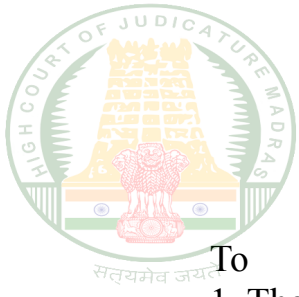
3.The petitioner has not availed the opportunity provided by this Court. Therefore, he is not entitled for the relief sought for from the hands of this Court. Since the authorities identified the encroachments, they are directed to continue the enforcement action and remove the encroachments immediately.

4.With the above observations and direction, this writ petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[S.M.S., J.] [A.D.M.C., J.]
16.07.2025

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

LR



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S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

LR

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