



WP(MD). No.20917 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 07/04/2025

CORAM

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE P.B.BALAJI

W.P.(MD)No.20917 of 2018 and

W.M.P.(MD)Nos.18687 to 18689 of 2018

P.Manimaran

... Petitioner

Vs

**1.Madras State Bhoodan Yagna Board,
Represented by its Chairman,
Secretariat, Chennai – 09.**

**2.The Assistant Commissioner,
Land Reforms Department,
Chepauk, Chennai – 5.**

**3.The District Collector,
Office of the District Collectorate,
Madurai, Madurai District.**

**4.The Tahsildar,
Melur Taluk,
Madurai, Madurai District.**

**5.The Bhoodan Inspector,
Tamilnadu Bhoodan Board,
Collectorate Campus,
Madurai District.**

6.Dr.N.Sethuraman

... Respondents



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PRAYER:- Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.7781/A1/2016 dated 08.11.2016 on the file of the fourth respondent and quash the same as illegal and consequently directing the respondents 3 to 5 to remove the encroachment made by the sixth respondent and restore the possession of property for the land in Survey No.247/1B in extent of 2 Acre 76 cents situated at Kottangudi Village, Kottangudi Post, Melur Taluk, Madurai District to the petitioner within the time period stipulated by this Court.

For Petitioner : Mr.M.Mahaboob Fazil

for M/s.T.Lajapathi Roy Associates

For Respondents : Mr.P.Thilak Kumar

Government Pleader for R1 to R5

ORDER

(Order of the Court was made by
the Hon'ble the Chief Justice)

Shri.P.Thilak Kumar, learned Government Pleader, on instructions, stated that petitioner is justified in the grievance that the impugned order dated 08.11.2016 has been passed without following the procedure of enquiry prescribed under Rule 11 of the Tamil Nadu Boodhan Yagna Rules, 1959. Shri.Thilak Kumar states that the impugned notice be quashed and set aside and the matter be remitted for *de novo* consideration.

2. Counsel for petitioner is also agreeable to that.



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3. Therefore, the impugned order is quashed and set aside and the matter is remitted to respondent No.1 for *de novo* consideration.

4. We clarify that we have not expressed any opinion on the merits.

5. Petition is disposed. There shall be no order as to costs. Consequently connected Miscellaneous Petitions stand closed.

(K.R.SHRIRAM, C.J.)

(P.B.BALAJI, J.)

08.04.2025

NCC : Yes/No
Index : Yes/No

RR

To

1.The Chairman,
Madras State Bhoodan Yagna Board,
Secretariat,
Chennai – 09.

2.The Assistant Commissioner,
Land Reforms Department,
Chepauk,
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3/5



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THE HON'BLE CHIEF JUSTICE

AND

P.B.BALAJI, J.

RR

**ORDER
IN**

WP(MD) No.20917 of 2018

Date : 08/04/2025