

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21/7/2015

C O R A M

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE M. VENUGOPAL

W.P. Nos.21659 and 21778 of 2015
and
M.P. Nos.1 and 1 of 2015

K. LakshmikanthPetitioner in both the petitions

Vs

1. The Collector
Thiruvallur District.

2. The Tahsildar
Thiruthani.

3. Nagarathinam
Vice-President of Chivvada Village
Panchayat
Thiruthani.

.... Respondents in both the petitions

Writ Petitions filed under Article 226 of the Constitution of India seeking writs of certiorarified mandamus to call for the entire records relating to impugned proceedings issued to the petitioner dated 6/7/2015 by the second respondent herein and quash the same and consequently direct the respondents 1 and 2 not to proceed with impugned proceeding.

For petitioner : Mr.C.T.Mohan
For respondents : Mr. P.S. Sivashanmugasundaram
Special Government Pleader
for R.R.1 and 2.
Mr.N.Sakthivel for R.3.

W E B C O P Y
C O M M O N O R D E R
(Order of the Court was made SATISH K. AGNIHOTRI, J.)

Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader takes notice on behalf of the respondents 1 and 2 and Mr.N.Sakthivel

takes notice on behalf of the third respondent. With the consent of the learned counsel for the parties, the matters are taken up for final disposal at the admission stage itself.

2. Questioning the legality and validity of the notices issued under Section 6 of the Chennai City Act, 3 of 1905 (for short "the Act"), by the Tahsildar/second respondent dated 6th July, 2015, the petitioner has come up with the present writ petitions.

3. The learned counsel appearing for the petitioner submits that the petitioner may be permitted to question the validity of the said notices dated 6th July, 2015 before the appellate authority. In the meantime, the petitioner may be granted status-quo till filing of the appeals.

4. On a perusal of the documents, we find that before issuance of the notices under Section 6 of the Act, Section 7 notice was issued on 11th February, 2015. Thereafter, the petitioner had made representations and then the impugned notices under Section 6 of the Act had been issued.

5. Be that as it may, the impugned Section 6 notice has been issued following due procedure as prescribed under the provisions of the Act. There is a statutory appeal/revision remedy is available to the petitioner against the impugned Section 6 Notice and as such, we are not inclined to entertain this petition at this stage as no extraordinary case has been made out for invoking the writ jurisdiction, without taking recourse to statutory appellate/revisional forum.

6. Resultantly, the writ petition stands dismissed. However, having regard to the facts situation of the case, status-quo in respect of the property in question, shall be maintained for a period of two weeks from today. In the meantime, the petitioner may take recourse to the appropriate appellate forum, if so advised under the provisions of law. No costs. Connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mvs.

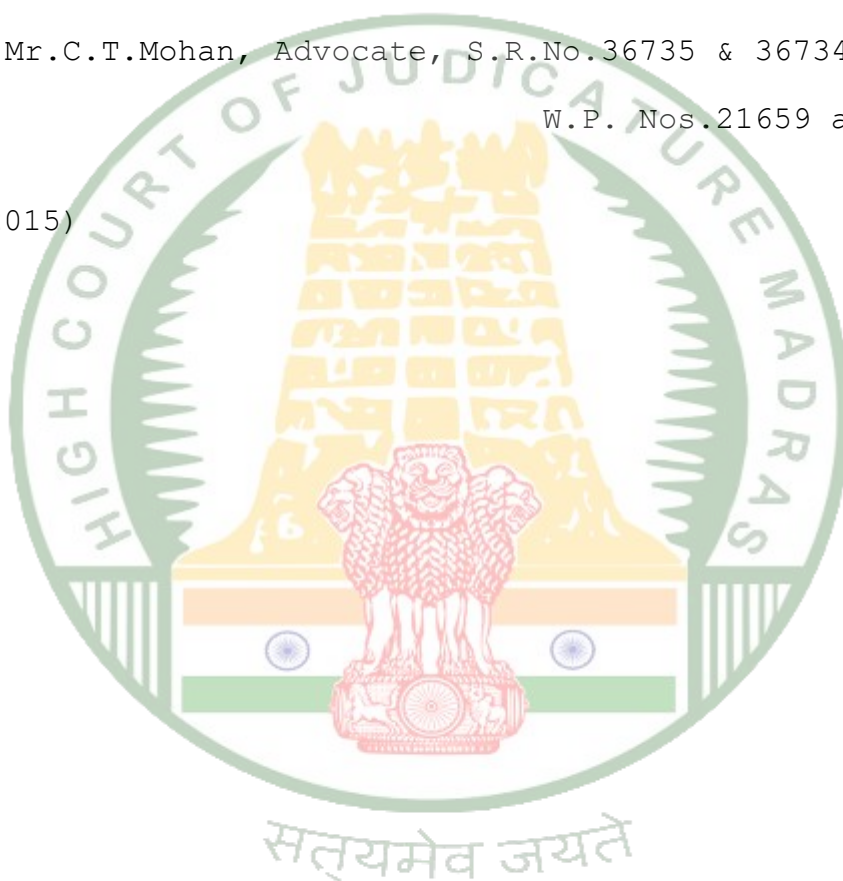
To

1. The Collector
Thiruvallur District.
2. The Tahsildar
Thiruthani.

+2cc's to Mr.C.T.Mohan, Advocate, S.R.No.36735 & 36734

W.P. Nos.21659 and 21778 of 2015

TS (CO)
CA(03/08/2015)



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