

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.10.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI  
AND  
THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

W.P.No.33034 of 2015

M. Veeran

.. Petitioner

vs.

- 1 The District Collector  
Erode District, Erode.
- 2 The Revenue Divisional Officer  
Gobichettipalyam Erode District.
- 3 The Village President  
Nagalur Village Panchayat Anthiyur Taluk  
Erode District.
- 4 The Revenue Inspector  
(Land) Aththani Sub Division Aththani  
Gobichettipalyam Taluk Erode District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorari calling for the concerned records relating to the order dated 29.09.2015 passed by the 4th respondent and quash the same.

For petitioner : Mr. M. Gnanasekar

For respondents : Mr. P.S.Sivashanmugasundaram  
Spl. Govt. Pleader - RR1,2 & 4  
Mr. P. Sanjay Gandhi - R3  
Additional Government Pleader

ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

Mr. P.S.Sivashanmugasundaram, learned Special Government Pleader, accepts notice for the respondents 1,2 and 4. Mr.P.Sanjay Gandhi, learned counsel, accepts notice for the third respondent. With the consent of the learned counsel for the parties, this writ petition is taken up for final disposal, at the admission stage itself.

2. The challenge in this writ petition is to the notice dated 29 September 2015 issued by the fourth respondent under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (for short "the Act").

3. Today, when the matter is taken up for hearing, it is stated by the learned counsel for the petitioner that pursuant to the impugned notice, the petitioner has made a representation on 01 October, 2015. Thus, it would suffice if the authorities are directed not to take any consequential action, without considering the said representation and also after affording an opportunity of hearing to the petitioner.

4. Learned Special Government Pleader appearing for the respondents 1,2 and 4 fairly submits that there is no necessity to approach this Court as even under the Scheme, no action can be taken without considering the representation made thereto, pursuant to the show cause notice issued under Section 7 of the Act, which is impugned herein.

5. Regard being had to the fact situation, we direct the authorities to examine the petitioner's representation dated 01 October 2015 and take consequential action expeditiously.

6. The writ petition stands disposed of accordingly. No costs. Connected Miscellaneous Petitions are closed.  
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Sd/-  
Assistant Registrar

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/True Copy/

Sub-Assistant Registrar

To

- 1 The District Collector  
Erode District, Erode.
- 2 The Revenue Divisional Officer  
Gobichettipalyam, Erode District.
- 3 The Village President  
Nagalur Village Panchayat,  
Anthiyur Taluk  
Erode District.
- 4 The Revenue Inspector  
(Land) Aththani Sub Division, Aththani,  
Gobichettipalyam Taluk  
Erode District.

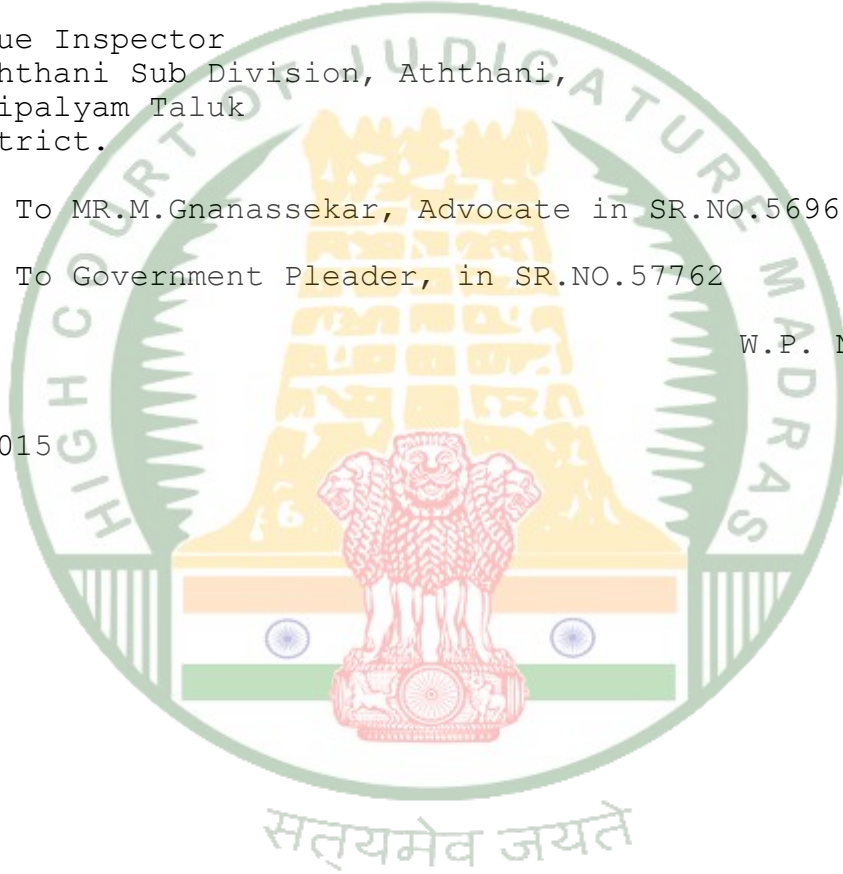
+1 C.C. To MR.M.Gnanassekar, Advocate in SR.NO.56969

+1 C.C. To Government Pleader, in SR.NO.57762

W.P. No.33034 of 2015

GJ(CO)

sd : 30/10/2015



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