



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR
and
THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.17924 of 2015 and
MP(MD)No.1 and 2 of 2015

K.Sirivilikutty

... Petitioner

Vs.

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Deputy Collector,
Devakottai Taluk,
Sivagangai District.
3. The Tahsildar,
Devakottai Taluk,
Sivagangai District.
4. The Superintendent of Police,
Sivagangai District,
Sivagangai.
5. The Deputy Superintendent of Police,
Devakottai Sub Division,
Sivagangai District.
6. M.Subramaniam

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari Mandamus call for the records pertaining to the impugned Notice Under section 6 of the Land Encroachment Act 1905 in Na.Ka.A5- 6040-2013 dated 11.09.2015 issued by the 3rd respondent and quash the same and directing the respondents 1 to 3 to issue patta to the petitioner to the land measuring about 0.00.05 sq.metre situated in Survey No. 438/7 in Keelakkadaiya Vayal Venkaloor Post Devakottai Taluk Sivagangai District.

For Petitioner : Mr.V.Nagendran
For Respondents 1-5 : Mr.M.Alagadevan,
Special Government Pleader.

ORDER

(Order of the Court was made by R.SUDHAKAR,J.)

been filed.

2. According to the petitioner, he is the owner of the land in S.No.438/7 in Keelakkadaiya Vayal Village, Devakottai Taluk, Sivagangai District. However, the third respondent has issued notice alleging that the petitioner has exceeded his property and encroached upon land to an extent of 0.00.05 square metre land and directed the petitioner to give explanation within 15 days.

3. We do not find any reason to interfere with the notice issued by the Tahsildar, the third respondent herein except to direct the petitioner to submit his explanation to the notice dated 11.09.2015 within 15 days from the date of receipt of a copy of this order. Till such time, no coercive steps shall be taken by the authority concerned.

4. The writ petition is accordingly disposed of. No costs. Consequently, M.P(MD)Nos.1 and 2 of 2015 are closed.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Deputy Collector,
Devakottai Taluk,
Sivagangai District.
3. The Tahsildar,
Devakottai Taluk,
Sivagangai District.
4. The Superintendent of Police,
Sivagangai District,
Sivagangai.
5. The Deputy Superintendent of Police,
Devakottai Sub Division,
Sivagangai District.

+ 1 CC TO MR.V.NAGENDRAN, ADVOCATE IN SR NO. 58363
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR NO. 58877

SMS

TE/MP 15/10/2015 2P/8C