

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:05.04.2016

CORAM

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

W.P. No.11519 of 2016
and
W.M.P.No.9948 of 2016

K.Kalaivani

..Petitioner

Vs.

1.The District Collector,
Collectorate,
Tiruvannamalai District.

2.The Revenue Divisional Officer,
Tiruvannamalai District.

3.The Block Development Officer,
Thuringapuram Post,
Thiruvannamalai Taluk & District.

4.The Tahsildar,
Taluk Office,
Thiruvannamalai Taluk,
Thiruvannamalai District.

5.The Panchayat President,
Karkonam Village,
Thurijapuram Panchayat,
Thiruvannamalai District.

..Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the records of the fifth respondent in his proceedings in Na.Ka.No.5/2015 dated 27.02.2016 and quash the same.

For Petitioner .. Mr.S.Jayakumar

For Respondents .. Mr.P.S.Sivashanmugha Sundaram,
Spl. Govt. Pleader for R1 to R4
Mr.R.Ravichandran for R5

ORDER

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

With the consent of the learned counsel appearing for the parties, the writ petition is taken up for final disposal.

2.The case of the petitioner is that she is not in encroachment and is occupying the land under proper ownership. Feeling aggrieved by the intimation notice dated 27 February 2016, whereunder it is stated that the petitioner has made an encroachment on Survey No.80/2 to the extent of 0.72 hectares, the instant writ petition is filed.

3.Pursuant to our notice, the fourth respondent/Tahsildar who is stated to be the competent officer to remove the encroachment, if any, on the Government poramboke, has submitted in his affidavit that the spot inspection was done on 01 April 2016 and it was noticed that the petitioner has put up a shed admeasuring to an extent of 10 x 5 sq.ft. in the Government land in Survey No.80/2. Accordingly, a notice under Section 7 of the Land Encroachment Act, 1905, dated 01 April 2016 has been issued, affording 15 days time to the petitioner to file response/representation.

4.In such view of the matter, no further adjudication is required at this stage. However, the Tahsildar is directed to take consequential action on receipt of the reply by the petitioner as advised under Section 7 notice dated 01 April 2016.

5.With the aforestated observation and direction, the writ petition stands disposed of. No costs. Consequently, Connected Miscellaneous Petition is Closed.

mmi

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The District Collector,
Collectorate,
Tiruvannamalai District.

2.The Revenue Divisional Officer,
Tiruvannamalai District.

3.The Block Development Officer,
Thurinjapuram Post,
Thiruvannamalai Taluk & District.

4.The Tahsildar,
Taluk Office,
Thiruvannamalai Taluk,
Thiruvannamalai District.

+ 1 cc to Mr.S.Jayakumar, Advocate Sr 21398

+ 1 cc to The Govt. Pleader, Sr 22154

KR/15/4/16

W.P.No.11519 of 2016



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