

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.08.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.28333 of 2016

&

WMP No.24448 of 2016

S.Menaga

.. Petitioner

-vs-

1. The District Collector
O/o the District Collector
Krishnagiri
Krishnagiri District

2. The Tahsildar
Taluk Office of Uttangarai
Uttangarai Taluk
Krishnagiri District

3. The Revenue Inspector
Samalpatti Revenue Firka
Uttangarai Taluk
Krishnagiri District

4. C.Arul Kumar

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, to call for the records of the eviction notice dated 28.07.2016 under Section 6 of Madras Province Land Encroachment Act III 1905 issued by the Thasildar of Uttangarai Taluk, Krishnagiri District, the second respondent herein and quash the same and direct the 1 to 3 respondents herein not to evict the petitioner from the land and superstructure of extension about 0.60 Acres vide survey No.31 situated at Parasanur Village, Samalpatti Post, Uttangarai Taluk, Krishnagiri District by considering the petitioner's last representation dated 27.07.2016.

For Petitioner :: Mr.Dalit Tiger C.Ponnusamy

For Respondents:: Ms.M.Lalitha
Government Advocate for R1 to R3

ORDER

(Order of the Court was delivered by HULUVADI G.RAMESH, J.)

The petitioner seeks for issuance of a writ of certiorarified mandamus, to call for the records of the eviction notice dated 28.07.2016 under Section 6 of Madras Province Land Encroachment Act III 1905 issued by the Thasildar of Uttangarai Taluk, Krishnagiri District, the second respondent herein, quash the same and direct the 1 to 3 respondents herein not to evict the petitioner from the land and superstructure of extension about 0.60 Acres vide survey No.31 situated Parasanur Village, Samalpatti Post, Uttangarai Taluk, Krishnagiri District by considering the petitioner's last representation dated 27.07.2016.

2. Heard the learned counsel for the petitioner and the learned Government Advocate taking notice on behalf of the respondents 1 to 3.

3. As against the impugned eviction notice issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, the petitioner is said to have submitted a representation to the District Collector, Krishnagiri District, the first respondent herein. Hence, it is for the District Collector, Krishnagiri District to consider the representation of the petitioner and to take a decision in accordance with law within a period of two months from the date of receipt of a copy of this order. All the contentions are left open to be urged by the petitioner before the first respondent. Till then, status quo shall be maintained by the parties. The writ petition is disposed of accordingly. Consequently, W.M.P.No.24448 of 2016 is closed. No costs.

Sd/-

Assistant Registrar(V)

//True Copy//

Sub Assistant Registrar

SS

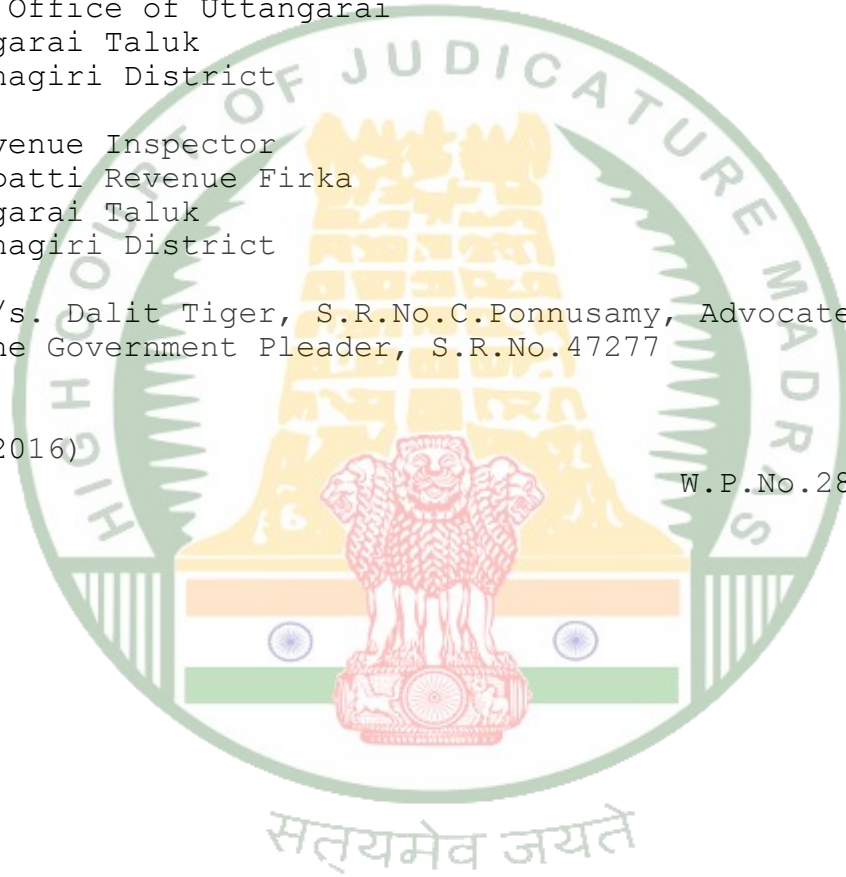
To

1. The District Collector
O/o the District Collector
Krishnagiri
Krishnagiri District
2. The Tahsildar
Taluk Office of Uttangarai
Uttangarai Taluk
Krishnagiri District
3. The Revenue Inspector
Samalpatti Revenue Firka
Uttangarai Taluk
Krishnagiri District

+lcc to M/s. Dalit Tiger, S.R.No.C.Ponnusamy, Advocate SR.46192
+lcc to the Government Pleader, S.R.No.47277

RSI (CO)
EU (06/09/2016)

W.P.No.28333 of 2016



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