

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. Nos.40312 to 40314 of 2016
and W.M.P.Nos.34389 to 34394 of 2016

A.Karuppaiah ... Petitioner in WP.40312/16
A.Ramasamy ... Petitioner in WP.40313/16
A.Kolanchi ... Petitioner in
WP.40314/16

-vs-

- 1.The District Collector/ Inspector
of Panchayat, Salem District,
Salem.
- 2.District Revenue Officer,
Attur Taluk, Salem District.
- 3.The Revenue Divisional Officer,
Attur Taluk, Salem District.
- 4.The Tahsildar,
Attur Taluk, Salem District.
- 5.The Revenue Inspector,
Thalaivasal, Attur Taluk,
Salem District. .. Respondents in all WPs.

Prayer in WP.No.40312 to 40314/2016:Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified mandamus to call for the records pertaining to the order passed by the 1st respondent in Na.Ka.No.4697/2012/A3 dated 25.07.2016 and the Notice issued by the 5th respondent under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, dated 07.10.2016 and quash the same consequentially direct respondents 1 to 4 considering the petitioners' representations dated 26.10.2016 and 10.11.2016 and

pass appropriate orders within time framed fixed by this Court.

For Petitioners	:	Mr.R.Marudhachalamurthy
For Respondents	:	Mr.M.K.Subramanian, Govt. Pleader

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

We are not inclined to entertain these petitions as they seek to challenge the notice under Section 7 of the Tamil Nadu Land Encroachment, 1905, which is in the nature of show cause notice and it is for the petitioners to respond to the same. Even if adverse order is passed under Section 6 of the said Act, the petitioners have a right of appeal. All these proceedings cannot be circumvented by seeking stay of operation of the show cause notice under Article 226 of the Constitution of India, especially when there have been previous proceedings in which orders have been passed by the Division Bench of this Court relating to the same subject matter.

2.Writ petition is dismissed. No costs. Consequently, W.M.P.Nos.34389 to 34394 of 2016 also stand dismissed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sra

To

1.The District Collector/ Inspector
of Panchayat, Salem District,
Salem.

2.District Revenue Officer,
Attur Taluk, Salem District.

3.The Revenue Divisional Officer,
Attur Taluk, Salem District.

4.The Tahsildar,
Attur Taluk, Salem District.

5.The Revenue Inspector,
Thalaivasal, Attur Taluk,
Salem District.

+1cc to the Government Pleader, S.R.No.66716

+1cc to the M/s.R.Marudhachalamurthy, Advocate Sr.No.67330

sv(CO)
md(23/11/2016)

W.P.Nos.40312 to 40314 of 2016



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