



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE **S.NAGAMUTHU**

AND

THE HONOURABLE MR.JUSTICE **M.V.MURALIDARAN**

W.P. [MD].No.21714 of 2015

and

M.P. (MD) .No.1 of 2015 and W.M.P. (MD) .No.1201 of 2016

Vellaisamy : Petitioner

Vs.

1.The District Collector,
Sivagangai District.

2.The Revenue Divisional Officer,
Devakottai, Sivagangai District.

3.The Tahsildar,
Karaikudi, Sivagangai District. : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned notice issued by the third respondent dated 19.11.2015 and quash the same as illegal consequently direct the respondents to issue patta in favour of the petitioner.

For Petitioner : Mr.S.M.Sanjay

For Respondents : Mr.M.Alagadevan
Special Government Pleader

O R D E R

[Order of the Court was made by **M.V.MURALIDARAN, J.**]

Challenging the notice issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, the petitioner has come up with this Writ Petition.

2. Admittedly, as per the provisions of Section 10 of the Tamil Nadu Land Encroachment Act, 1905, there is an efficacious appeal remedy available to the petitioner. Hence, the Writ Petition is disposed of giving liberty to the petitioner to file an appeal before the District Collector, Sivaganga, the first respondent herein, within a period of fifteen days from the date of receipt of a copy of this Order. On receipt of such appeal, the



first respondent shall consider the same and pass appropriate orders, within a period of eight weeks thereafter. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Sivagangai District.

2.The Revenue Divisional Officer,
Devakottai, Sivagangai District.

3.The Tahsildar,
Karaikudi, Sivagangai District.

+1 CC to Mr.S.M.SANJAY, Advocate, SR No.71038

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.71117

+1 cc to MR.A.K.MANICKAM, Advocate SR.No.71684

**ORDER MADE IN
W.P. [MD] .No.21714 of 2015
21.11.2016**

NB

SH/PV:08.12.2016:2P/7C