



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.10.2016

CORAM:

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

and

THE HONOURABLE MR.JUSTICE **M.GOVINDARAJ**

W.P(MD)No.19768 of 2016

and

W.M.P.No.14251 of 2016

N.KALIMUTHU S/O.NACHIAPPAN
POVANDIPATTI VILLAGE
CHETTINADU POST
KARAIKUDI TALUK
SIVAGANGAI DISTRICT

.. Petitioner

Vs.

1 THE DISTRICT COLLECTOR
OF SIVAGANGAI DISTRICT SIVAGANGAI

2 THE THASILDAR
KARAIKUDI SIVAGANGAI DIST

3 THE ZONAL DEPUTY THASILDAR
SAKOTTAI SIVAGANGAI DISTRICT

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified mandamus to call for the records pertaining to the impugned vide no file number notice issued by the 3rd respondent dated 30.09.2016 and may consequently direct the respondents to grant patta in favour of Petitioner in Sy.No.271/3 of Poovandipatti Village Karaikudi Taluk sivagangai District.

For Petitioner	: Mr.K.P.Narayanakumar
For Respondents	: Mr.S.Chandrasekar
	Government Advocate

ORDER

(Order of the Court was made by S.NAGAMUTHU, J.)

The petitioner challenges in this writ petition a notice issued under the Land Encroachment Act alleging that the petitioner has encroached upon the land comprised in S.No.271/3 at Nerpugapatti Village in Sivagangai District.



2. This writ petition has come up today for admission. We have heard the learned counsel for the petitioner and the learned Government Advocate for the respondents and we have also perused the records carefully.

3. As we have already pointed out what is under challenge is only a show cause notice. The petitioner has got remedy to submit his explanation, if his case is that he has title over the property. If any explanation is submitted by the petitioner, the authorities shall consider the same. If the petitioner is still not satisfied with the order passed by the authorities, he has to work out his remedy as per the Act and also before the civil Court. In such view of the matter, no relief as sought for can be granted. Accordingly, this writ petition is dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(crl)

/True Copy/

Sub Assistant Registrar

RR

To

1 THE DISTRICT COLLECTOR
OF SIVAGANGAI DISTRICT SIVAGANGAI

2 THE THASILDAR
KARAIKUDI SIVAGANGAI DISTRICT

3 THE ZONAL DEPUTY THASILDAR
SAKOTTAI SIVAGANGAI DISTRICT

+1cc to Mr.K.P.Narayanakumar, Advocate Sr.No. 61317

+1cc to Spl.Government Pleader Sr.No. 60896

JAM/04.11.16/DB /2P-6C

ORDER MADE IN
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and W.M.P.No.14251 of 2016
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