

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 23.02.2017
CORAM
THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.4505 of 2017

M.Ashokkumar

.. Petitioner
Vs.

1. The District Collector
Ariyalur District, Ariyalur.
 2. The Revenue Divisional Officer
Udayarpalayam Division
Ariyalur District.
 3. The Tahsildar
Senthurai Taluk
Ariyalur District.
 4. The Block Development Officer
Union Office, Senthurai
Ariyalur District.
- .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Certiorari to call for the records made in Na.Ka.A2/2494/2016, dated 28.12.2016 issued by the 4th respondent herein and quash the same as illegal.

For Petitioner : M/s.C.Sangamithirai

For Respondents : Mr.M.K.Subramanian
Government Pleader

ORDER

(Order of the Court was made by the Acting Chief Justice)

Mr.M.K.Subramanian, learned Government Pleader takes notice for the respondents.

2. Heard the learned counsel for the parties.

3. Challenging the notice issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 seeking to evict the petitioner from the house site, the present writ petition is

filed on the plea that the petitioner has been issued patta way back in the year 1985.

4. The learned Government Pleader controverted the above said plea made by the petitioner and states that the patta was issued in respect of some other property and not in respect of the property covered under the impugned notice.

5. We are of the considered view that these are aspects which the competent authority has to enquire into and it is not for this Court to delve deep into these factual aspects. It is also not in dispute that the petitioner has not submitted any reply to the notice issued by the respondent/authorities under Section 7 of the said Act.

6. Under such circumstances, we direct the petitioner to submit a detailed reply to the notice issued by the respondent/authorities within two weeks from today and thereafter, it is for the respondent/authorities to consider the same in accordance with law and pass appropriate orders within three months. All the contentions are left open to be urged before the competent authority.

The writ petition is disposed of accordingly. No costs. Consequently, W.M.P.No.4730 of 2017 is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To:

1. The District Collector
Ariyalur District, Ariyalur.
2. The Revenue Divisional Officer
Udayarpalayam Division
Ariyalur District.
3. The Tahsildar
Senthurai Taluk
Ariyalur District.

4. The Block Development Officer
Union Office, Senthurai
Ariyalur District.

+1 cc to M/s.C.Sangamithirai Advocate sr11885
+1 cc to Government Pleader sr 11722

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