

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR. JUSTICE RMT. TEEKAA RAMAN

W.P.No.6622 of 2017

M.Singaram

.. Petitioner

Vs.

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

PRAYER: Petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorari to call for the records made in Na.Ka.No.A2/2494/2016 issued by the fourth respondent herein dated 28.12.2016 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. The petitioner has filed this writ petition seeking issuance of a writ of Certiorari to call for the records made in Na.Ka.No. A2/2494/2016 issued by the fourth respondent herein dated 28.12.2016 and quash the same as illegal.

3. It is the case of the petitioner that he is having a house site and has also been issued a patta by the third respondent. However, the respondent authorities have issued notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 seeking to evict the petitioner from the house site. Challenging the same, the present writ petition is filed.

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 two months. All the contentions raised in this writ petition are left open to be urged before the competent authority.

The writ petition is disposed of accordingly. No costs. Consequently, W.M.P.No.7106 of 2017 is closed.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

sasi

To:

- 1 The District collector
Ariyalur Collector Office
Ariyalur District.

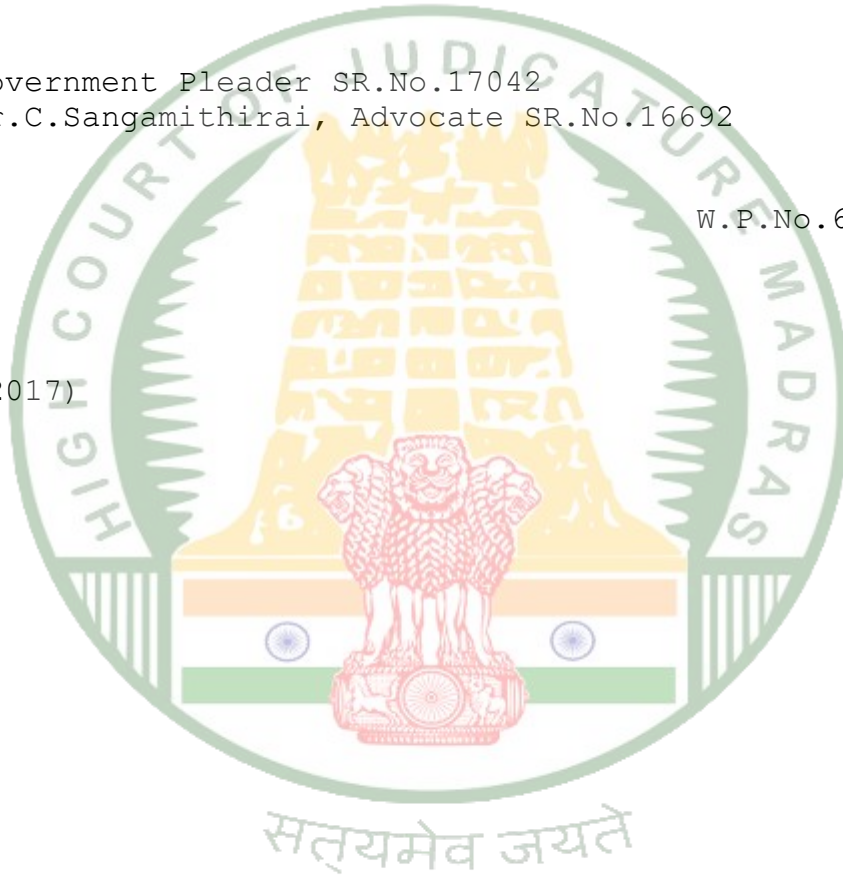
- 2 The Revenue Divisional Officer
Udayarpalayam Revenue Divisional Officer
Ariyalur District.
- 3 The Tahsildhar
Senthurai Taluk Office
Ariyalur District.
- 4 The Block Development Officer
Senthurai Union Office
Ariyalur District.

+1cc to Government Pleader SR.No.17042

+1cc to Mr.C.Sangamithirai, Advocate SR.No.16692

W.P.No.6622 of 2017

KJI (CO)
GN(05/04/2017)



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