

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.05.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. No. 13255 of 2017 and
W.M.P. 14243 of 2017

Karunalaya Health Centre,
Kunnivakkam, Uthiramerur Taluk,
Kanchipuram District,
A unit of St.Isabel's Hospital,
Represented by its Secretary
Sister Philomina Joseph,
No.49, Musiri Subramanian Salai,
Mylapore, Chennai-600 004

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by The Commissioner,
Land Administration, Ezhilagam,
Chepuak, Chennai-5.
2. The District Collector,
Kanchipuram District, Kanchipuram.
3. The Tahsildar,
Uthiramerur Taluk,
Kanchipuram Taluk.

... Respondents

Prayer:

Writ petition is filed under 226 of Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the 3rd respondent vide his notice dated 03.05.2017 and quash the same and direct the respondents to execute a sale deed as per letter of the 3rd respondent in Na.Ka.1635/2013/Aa11/dated 16.12.2013.

For Petitioner :Mr.S.Subramaniam Balaji

For Respondents:Mr.M.K.Subramani (R1 to R3)
Government Pleader

O R D E R

(Order of the Court was delivered by M.M.SUNDRESH J.,)

Challenging the notice issued by the third respondent, under Section 6 of the Tamil Nadu Land Encroachment Act,1905, the present Writ Petition has been filed.

2. Heard both sides.

3. As rightly submitted by the learned Government Pleader, admittedly the notice dated 03.05.2017 issued by the third respondent is appealable. In such view of the matter, we are not inclined to allow this Writ Petition. However, taking into consideration the fact that the petitioner has approached this Court, we permit the petitioner to file a statutory appeal, within a period of four weeks from the date of receipt of a copy of this order, before the appropriate appellate authority. Till such time, status-quo as on today, shall be maintained.

4. This Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(V.O)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

arr
To

1. The Commissioner,
The State of Tamil Nadu,
Land Administration, Ezhilagam,
Chepuak, Chennai-5.

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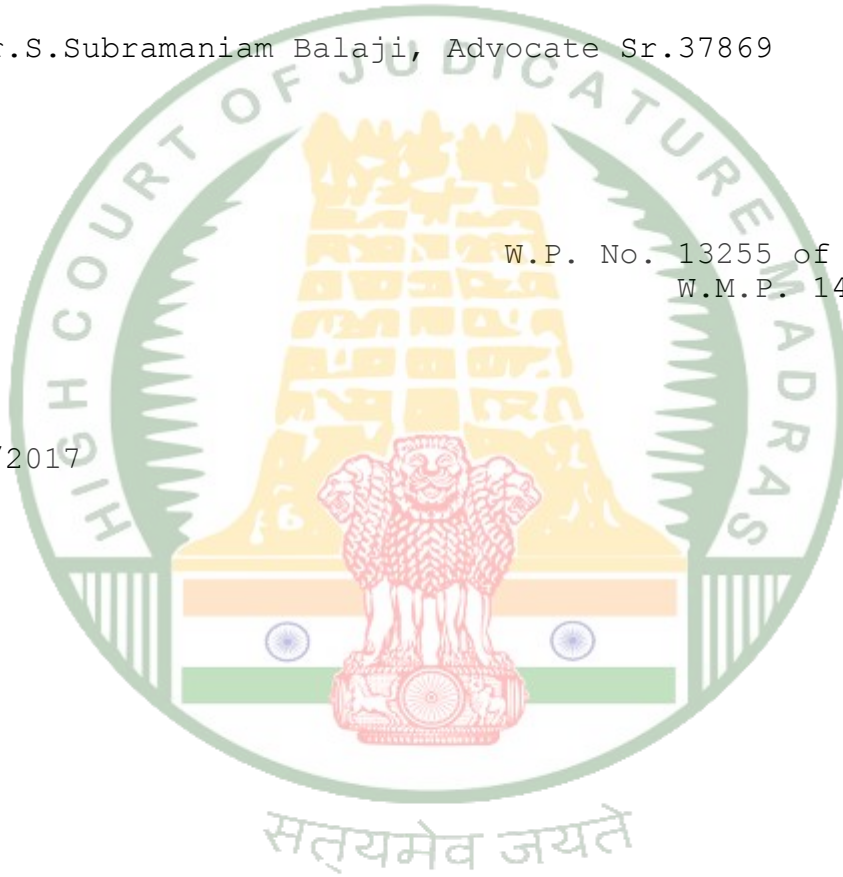
2. The District Collector,
Kanchipuram District, Kanchipuram.

3. The Tahsildar,
Uthiramerur Taluk,
Kanchipuram Taluk.

+1cc to Mr.S.Subramaniam Balaji, Advocate Sr.37869

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nm[co]
srg 26/05/2017



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