

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. 13277 of 2017 and
W.M.P. 14274 and 14275 of 2017

Tmt. V.Shanthi ... Petitioner

Vs

1. District Collector,
Salem District,
Salem.
 2. Tahsildar,
Yercaud,
Salem District.
 3. Revenue Inspector-in-charge,
Puthur Firka,
Yercaud Taluk,
Salem District
- ... Respondents

Prayer:

Writ petition is filed under 226 of Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the order passed by the 3rd Respondent in his proceedings No. Nil, dated 03.04.2017 issued under Section 7 of the Land Encroachment Act, and the order passed by the 2nd Respondent in his proceedings No. Nil, dated 04.05.2017 issued under Section 6 of the Land Encroachment Act and quash the same, and direct the Respondents to issue patta to the petitioner in respect of land in S.No.15/12, measuring an extent of 0.5 cents with the construction of house in an extent of 322 sq.ft. at Pottkadu, Thalaisolai Village, Yercaud Taluk, Salem District.

For Petitioner : M/s.C.S.Associates
For Respondents : Mr.M.K.Subramani (R1 to R3)
Government Pleader

O R D E R

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

Challenging the notices issued under Sections 7 and 6 of the Land Encroachment Act, 1905, by the respondents 3 and 2 respectively, the present Writ Petition has been filed.

2. Heard both sides.

3. As rightly submitted by the learned Government Pleader, admittedly the notice dated 04.05.2017 issued under Section 6 of the Tamil Nadu Land Encroachment Act, 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 Petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

arr/gms

To

1. District Collector,
Salem District,
Salem.
2. Tahsildar,
Yercaud,
Salem District.

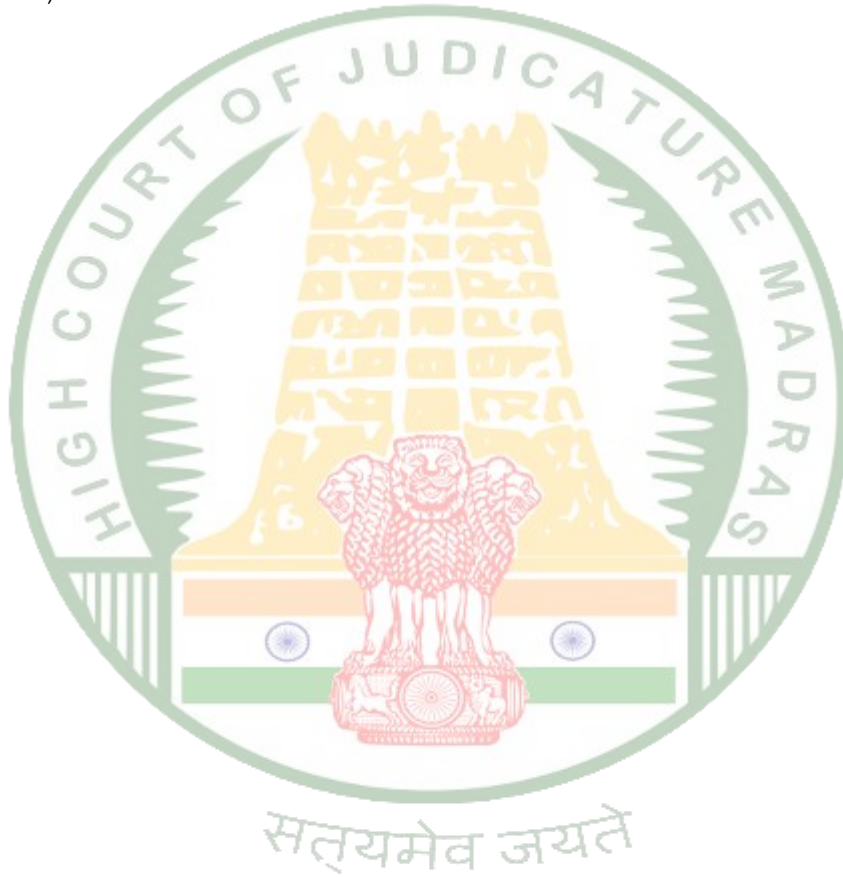
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3. Revenue Inspector-in-charge,
Puthur Firka,
Yercaud Taluk,
Salem District

+1cc to M/S.C.S. Associates, Advocate Sr. 37867

W.P. No. 13277 of 2017 and
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VR(25/5/2017)



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