



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE **K.K.SASIDHARAN**
AND
THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) .Nos.12768 and 12769 of 2014
and
M.P. (MD) Nos.1 to 3 and 1 to 3 of 2014

S.Balasubramaniam : Petitioner in W.P(MD)No.12768 of 2014
B.Latha @ Premalatha : Petitioner in W.P(MD)No.12769 of 2014

Vs.

The Tahsildhar,
Karur Taluk,
Karur District.

: Respondent in both W.Ps.

COMMON PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned notice issued by the respondent herein in his proceedings in vide 06754 dated 04.06.2013 and quash the same as illegal and consequently forbear the respondent or his men, agent , servant or any other person authorized by him, from interfering with the petitioners' peaceful possession and enjoyment of the lands comprised in Survey No.155/1 admeasuring to an extent of 0.20.0 Ares situated at Atchimangalam Village, Karur Taluk, Karur District.

For Petitioners : Mr.D.Nallathambi

For Respondent : Mr.M.Govindan,
Special Government Pleader

COMMON ORDER

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

In both the Writ Petitions, challenge is to notice issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905.

2. It is seen from the records as well as it is admitted by the respondent that the impugned orders were not preceded by notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905. Hence, on that sole ground, the Writ Petitions are allowed and the impugned orders are quashed. The matter is remitted back



to the file of the respondent with liberty to proceed afresh in accordance with law. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AD-II)

WEB COPY

/True copy/

Sub Assistant Registrar

To

The Tahsildhar,
Karur Taluk,
Karur District.

+2 cc to Mr.D.Nallathambi , Advocate in SR.No. 65385
+1 cc to Mr.Special Government Pleader in SR.No.66119

SML/MYR

AE/JC/SAR1/24.07.2017/2P/5C

**Common Order made in
W.P. [MD] .Nos.12768 and 12769 of 2014
Dated:13.07.2017**