



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 24.08.2017

CORAM :

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

W.P (MD) No.17445 of 2015
and
MP (MD) No.1 of 2015

Chinnachamy

... Petitioner

Vs.

1. The District Collector,
Dindigul District,
Dindigul.

2. The Tahsildar,
Natham Taluk,
Dindigul District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus forbearing the respondents from evicting the petitioner in Plot No.81 in S.No.1125/19 to the extent of 2 cents of 13-Nadumandalam Village, Natham Taluk, Dindigul District without issuing Eviction Notice under Tamil Nadu Encroachment Act 1905.

For Petitioner : Mr.V.Kannan

For Respondents : Mr.N.S.Karthikeyan, Spl. Govt. Pleader

O R D E R

(Order of the Court was made by G.R.SWAMINATHAN, J.)

The writ petitioner has filed this writ petition apprehending that he would be dispossessed without due process of law.

2.Prayer in the writ petition is that the respondents should be directed to follow the procedure set out under Tamil Nadu Land Encroachment Act, 1905. The respondents being statutory authorities would definitely not act arbitrarily or in a high handed manner. Therefore the writ petition is allowed forbearing the respondents from dispossessing the writ petitioner except by due process of law.



3.This writ petition is allowed as indicated above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AD-II)

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/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Dindigul District, Dindigul.

2.The Tahsildar,
Natham Taluk, Dindigul District.

+1 cc to Mr.V.Kannan , Advocate in SR.No. 74720

+1 cc to The Special Government Pleader in SR.No.75086

Skm/Arul

AE/MR KKR/SAR4/19.09.2017/2P/5C

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