



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.20561 of 2015

and

W.M.P(MD)No.6245 of 2016

S.Kaliammal

... Petitioner

Vs.

1.The District Collector,
Sivagangai, Sivagangai District.

2.The District Revenue Officer,
Office of the District Collector,
Sivagangai,
Sivagangai District.

3.The Tahsildar,
Thirupathur Taluk,
Sivagangai District.

4.The Revenue Inspector,
Nachiapuram,
Sivagangai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus directing the respondents to calling for the records and proceedings relating to the Impugned notice dated 05.11.2015 issued by the 4th respondent with regard to the property comprised in Survey No.25/3 in Keelaiyur Village, Thirupathur Taluk, Sivagangai District and quashing the same as illegal and consequently to direct the respondents not to take any action under the Tamil Nadu Land Encroachment Act 1905 in the above said patta land in the name of husband of the petitioner.

For Petitioner

: Mr.S.J.Chakkaravarthy

For Respondents

: Mr.M.Govindan

Special Government Pleader

O R D E R

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

Notice issued by the 4th respondent is under challenge in this writ petition primarily on the ground that being a patta land, the authorities are not entitled to survey or removal of



encroachment.

2.The challenge is only to a notice. The fourth respondent has not passed any adverse order against the petitioner. It is open to the petitioner to challenge the order, in case, any such order is passed.

3.The writ petition is disposed of with the above observation. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
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Thirupathur Taluk,
Sivagangai District.

4.The Revenue Inspector,
Nachiapuram,
Sivagangai District.

+1cc to Mr.S.J.CHAKKARAVARTHY, Advocate, SR.76933

+1cc to M/S.Special Government Pleader, SR. 77683

W.P. (MD) No.20561 of 2015

06.09.2017

sss/am

KK/SV MMS/SAR 2/27.09.2017/ 2P- 7C/