



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 21.08.2017

CORAM :

WEB COPY

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

W.P (MD) No.14153 of 2017
and
W.M.P (MD) No.11071, 11072 of 2017

Ayyappa Seva Sangam
Muthoorani North, Karaikudi
Rep.by its Secretary
AR.Sethuraman

... Petitioner

Vs.

1.The Tahsildar,
Karaikudi Taluk,
Karaikudi, Sivagangai District.

2.The Regional Deputy Tahsildar,
Karaikudi, Sivagangai District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari to call for the records relating to the impugned order of the first respondent dated 14.07.2017 served upon on 17.07.2017 u/s 6 of the Tamil Nadu Land Encroachment Act 1905 and quash the same.

For Petitioner : Mr.R.Sundar Srinivasan

For Respondents : Mr.T.S.Mohammed Mohideen, AGP

O R D E R

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

The writ petitioner challenges the order dated 14.07.2017 issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905. The first respondent had earlier issued notice under Section 7 of the Act. The writ petitioner has submitted his explanation in respect of the same. But, even without referring to the said objection, the impugned order has been passed mechanically. The impugned order is more a stereo typed repetition of the statutory grounds. Therefore, on this ground,



the impugned order is set aside and the matter is remitted back to the first respondent, with liberty to pass fresh orders in accordance with law.

2. This writ petition is allowed as indicated above. No costs. Consequently, connected Miscellaneous Petitions are closed.

/True Copy/

Sd/-
Assistant Registrar (RTI)

Sub-Assistant Registrar

To

1. The Tahsildar,
Karaikudi Taluk,
Karaikudi, Sivagangai District.

2. The Regional Deputy Tahsildar,
Karaikudi, Sivagangai District.

+One cc to The Special Government Pleader, SR.No.73904

+One cc to Mr.R.Sundar Srinivasan, Advocate, SR.No.73411

SSS
RL/5C/2P/KP/SAR1/14/11/2017

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