



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.17972 of 2017

WEB COPY

Arulmigu Azhagumalaiyan Nagammal
Nellammal Alagammal Kovil Trust,
represented by its Trustee
A.Nagarajan,
36, East Street, Anuppanadi,
Madurai-625 009.

... Petitioner

Vs.

1. The State of Tamilnadu,
represented by its
District Collector,
Madurai District,
Madurai.
2. The Revenue Divisional Officer,
Madurai District,
Madurai.
3. The Tahsildar,
Madurai East,
Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to drop the eviction proceedings under the Land Encroachment Act, in respect of the Arulmigu Azhagumalaiyan Nagammal Nellammal Alagammal Temple, comprised in Survey No.2486 Meenakshipuram Village, Madurai East, Madurai, by considering the reply dated 25.08.2017 sent by the petitioner trust, within a time frame as may be fixed by the Court, by allowing the present writ petition.

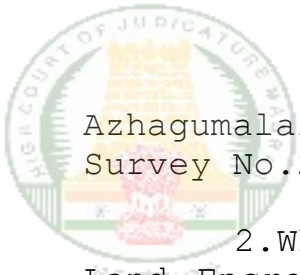
For Petitioner : Mr.G.Aravinthan

For Respondents : Mr.M.Govindan

Special Government Pleader

O R D E R

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



Azhagumalaiyan Nagammal Nellammal Alagammal Temple, situated in Survey No.2486 Meenakshipuram Village, Madurai East, Madurai.

2.What was served now is only notice under Section 7 of Land Encroachment Act, 1905. The writ petitioner can very well submit their representation, in response to the said notice. It is seen that Revenue Inspector, Madurai had issued a notice dated 17.08.2017. The writ petitioner instead of responding to the said notice, had given a representation to the District Collector. Time is given to the writ petitioner to submit his objection on or before 25.10.2017 in response to the said notice under Section 7 of the Act. The authority in question shall consider the same and pass final orders only after affording fullest opportunity to the petitioner herein. The petitioner is always having all the statutory remedies even against the final order passed under Section 6 of the Act.

3.With this observation the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District,
Madurai.
2. The Revenue Divisional Officer,
Madurai District,
Madurai.
3. The Tahsildar,
Madurai East,
Madurai.

+1cc to The Spl.Government Pleader Sr.No.80902
+1cc to Mr. G.Aravinthan,Advocate Sr.No.80186

RMI

VB/KK/SAR3/24/10/2017/2P/6C