



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P(MD)No.5205 of 2017

and

W.M.P(MD)No.4186 of 2017

K.Nallasamy

.. Petitioner

Vs.

The Thasildar,
Aravakurichi Taluk,
Karur District.

.. Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the respondent and their men, agents, servants or any one on their behalf by proceeding further in any manner until the respondent consider his reply dated 20.03.2017 and final order passed under Section 6 of the Land Encroachment Act so far as Survey No.738/4 Easanatham Village, Aravakurichi Taluk, Karur District.

For Petitioner : Mr.N.Shanmugaselvam

For Respondent : Mr.K.Guru,
Additional Government Pleader.

ORDER

[Order of the Court was made by A.SELVAM, J.]

This Writ Petition has been filed under Article 226 of the Constitution of India praying to forbear the respondent from taking eviction proceedings without deciding the reply dated 20.03.2017, by way of issuing a Writ of Mandamus.

2.Mr.K.Guru, learned Additional Government Pleader, has taken notice for the respondents.

3.It is seen from the records that the respondent has issued a notice under Section 7 of the Tamil Nadu Land Encroachments Act, 1905. Further it is seen from the records that on 20.03.2017 a reply has been given by the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The main grievance expressed on the side of the petitioner is that, even without considering the reply, the respondent has attempted to evict the petitioner.



5.Considering the aforesaid factual circumstances, this Court is inclined to pass the following order.

6.In fine, the respondent is directed to look into the reply dated 20.03.2017 and dispose of the same as early as possible and after disposal, proceed with the eviction proceedings. With the above observation, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Protocol)

/TRUE COPY/

Sub Assistant Registrar

To

The Thasildar,
Aravakurichi Taluk,
Karur District.

+1 cc to M/R.N.SHUNMUGA SELVAM, Advocate, SR.NO:17678

+1 cc to M/S.SPECIAL GOVERNMENT PLEADER, SR.NO:17678

SVA/MR/SAR2/28.03.2017/2P/4C

ORDER MADE IN
W.P(MD)No.5205 of 2017
and
W.M.P(MD)No.4186 of 2017
24.03.2017