



premises within seven days. The petitioner has thereafter submitted a representation dated 27.04.2017 to the 2nd respondent and the same has not been considered so far. Aggrieved by the overall act of the respondents, the petitioner is before this Court.

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4. At this juncture, the learned Government Advocate appearing for the respondents would submit that against the order of the 2nd respondent, there is an appeal remedy available to the petitioner under Section 10 of the Tamil Nadu Land Encroachment Act, 1905 before the 1st respondent and the petitioner, without exhausting the same, has straightaway approached this Court and therefore, this petition is not maintainable before this Court.

5. In view of the above submissions, this writ petition is disposed of, permitting the petitioner to file an appeal before the first respondent / District Collector within a period of three weeks from the date of receipt of a copy of this order and if any such appeal being filed, the same shall be entertained without raising any objection with regard to limitation and considered on merits and in accordance with law, after affording an opportunity of hearing to the petitioner. It is made clear that till filing appeal by the petitioner, the respondents shall not evict the petitioner from the premises. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar.

To:

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.
2. The Thasildar,
Taluk Office Kamuthi,
Ramanathapuram District.

+1CC to Mr.R.Murugappan, Advocate, SR.No.84276
+1CC to the Special Government Pleader SR.No.84653

W.P(MD) No.9128 of 2017
30.10.2017