

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.17717 of 2017

ORDER:

Heard Sri V.V.Raghavan, learned counsel for petitioners.

The petitioners challenge notice under Section 6 of Land Encroachment Act (for short 'the Act'). The order or any proceeding initiated under Section 6 of the Act, learned counsel fairly submits that it can be challenged by filing an appeal before the District Collector.

Since the impugned notice is an appealable order, I am not inclined to exercise the jurisdiction under Article 226 of the Constitution of India but give liberty to the petitioners to avail the remedy of appeal by enclosing a copy of this order within four weeks from today. If the appeal is filed as permitted by this order, the same shall be entertained and disposed of on merits. The parties are directed to maintain *status quo* as regards possession and physical features of the subject matter of the notice dated 22.11.2016 for a period of four months from today. The petitioners are given liberty to take appropriate orders from the Appellate Authority in the meantime.

The Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ
Petition, shall stand closed.

S.V. BHATT, J

5th June, 2017.
ssp

