

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2018

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.20012 of 2018
and
W.M.P.No.23431 of 2018

Nagarajan ... Petitioner
Vs

1.The District Collector,
Vellore District,
Vellore.

2.The Tahsildar,
Anaicut Taluk Office,
Anaicut, Vellore District. ... Respondents

PRAYER : Writ petition is filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records in Show cause notice dated 26.07.2018 on the file of 2nd respondent herein and quash the same as illegal.

For Petitioner : Mr.R.Sankarasubbu

For Respondents: Mr.R.Udhayakumar
Additional Government Pleader

O R D E R

(Order of the Court was made by N.Kirubakaran, J.)

This Writ Petition has been filed challenging the show cause notice dated 26.07.2018 issued to the petitioner, alleging that the petitioner has encroached upon the street.

2.Heard, Mr.R.Sankarasubbu, learned counsel appearing for the petitioner and Mr.R.Udhayakumar, learned Additional Government Pleader, who takes notice on behalf of the respondents.

3.A perusal of the records would show that notice under Section 7 of the Land Encroachment Act, has been issued to the petitioner and the petitioner has got liberty to give reply. Therefore, the petitioner is directed to treat the impugned

order as show cause notice and give reply within a period of two weeks from the date of receipt of a copy of this order. On receiving such reply, the respondents are directed to conduct an enquiry and after giving an opportunity to the petitioner, pass appropriate orders, within a period of eight weeks thereafter. Till the enquiry is over, order is passed and the copy of the order is served upon the petitioner, the petitioner's possession and enjoyment shall not be disturbed.

With the above direction, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

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To

1.The District Collector,
Vellore District,
Vellore.

2.The Tahsildar,
Anaicut Taluk Office,
Anaicut, Vellore District.

+1 CC to Mr.R.Sankarasubbu, Advocate sr 53003.

+1 CC to Govt. Pleader sr 54285.

सत्यमेव जयते

W.P.No.20012 of 2018

SP(06/09/2018)

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