

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.05.2018

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

AND

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Writ Petition No.11769 of 2018
and W.M.P.No.13739 of 2018

S.Dhanasekar ... Petitioner

vs.

1. The District Collector
Collectorate,
Thiruvallur District.

2. The District Revenue Officer,
Thiruvallur District.

3. The Tahsildar
Madhavaram Taluk Office,
Thiruvallur.

4. The Revenue Inspector
Puzhal Pirka
Madhavaram Taluk Office,
Thiruvallur

.... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus calling for the records relating to the unnumbered notice dated 24.04.2018 passed by the fourth respondent and quash the same as illegal and consequently direct the respondents to grant long term lease to the petitioner for the agricultural land comprised in Survey No.35/3, Old S.No.35A, situated at Old No.8, New No.25, Palavoyal Village, Madhavaram Taluk, Thiruvallur District to an extent of 0.10 cents considering the petitioner representation dated 15.03.2018.

For Petitioner : Mr.A.Gokulakrishnan

For Respondents : Mr.R.Udayakumar
Additional Government Pleader

O R D E R

(Order of the Court was delivered by V.BHARATHIDASAN.J.,)

The petitioner has filed this Writ Petition seeking to call for the records of the fourth respondent, relating to the un-numbered notice dated 24.04.2018 issued under Section 7 of the Tamil Nadu Land Encroachment Act and quash the same.

2. According to the petitioner, already a similar notice has been issued by the fourth respondent-Revenue Inspector, for which, the petitioner has given an objection on 15.03.2017. Now, once again, another notice under Section 7 of the said Act has been issued by the fourth respondent without considering the earlier notice.

3. Learned Additional Government Pleader appearing for the respondents submitted that the property in question is classified as a Poramboke Land in the revenue records. But, a Village Administrative Officer has sold the property in favour of the petitioner by way of an unregistered sale deed based on that the petitioner claiming right over the land.

4. Be that as it may. Taking into consideration of the fact that only notice under Section 7 notice of the Act has been issued to the petitioner and at this stage, this Court, without going into the merits of the case, directs the petitioner to give objection to the said notice within a period of three weeks from the date of receipt of a copy of this order and on receipt of the said objection, the fourth respondent is directed to conduct an enquiry and pass suitable orders on merits and in accordance with law, within a period of four weeks thereafter, after affording an opportunity of hearing to the petitioner. In the meantime, the parties shall maintain status-quo as on date.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

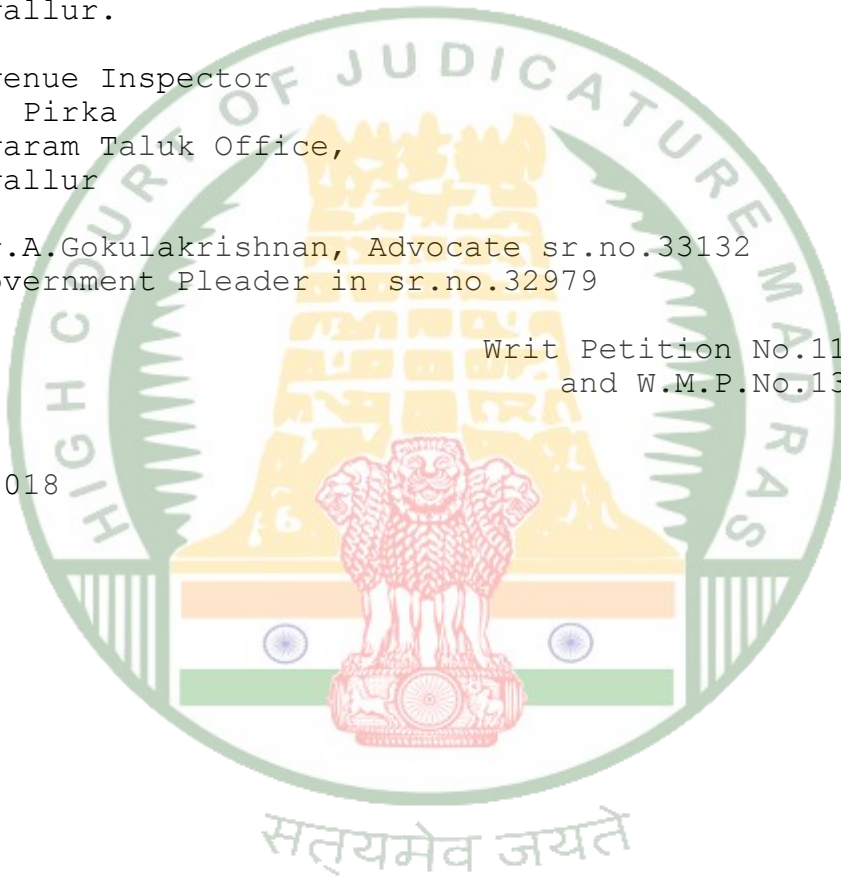
To

1. The District Collector
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3. The Tahsildar
Madhavaram Taluk Office,
Thiruvallur.
4. The Revenue Inspector
Puzhal Pirka
Madhavaram Taluk Office,
Thiruvallur

+1cc to Mr.A.Gokulakrishnan, Advocate sr.no.33132
+1cc to Government Pleader in sr.no.32979

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nrl(co)
nr 18/05/2018



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