

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2018

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY
W.P.No.18700 of 2018
and
W.M.P.No.22052 of 2018

Mani Petitioner

Vs

1.The District Collector,
Erode District.

2.The Tahsildar,
Erode.

3.The Land Revenue Inspector,
Erode West Inner Circle,
Erode.

... Respondents

PRAYER : Writ petition is filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 02.06.2018 and to provide alternate accommodation to the petitioner in the event of evicting the petitioner from R.S.No.233/1 of Nasiyanur Village, Erode District within the time.

For Petitioner :Mr.J.C.Vasudevan

For Respondents:Mr.R.Udhaya Kumar
Additional Government Pleader

O R D E R

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

The petitioner is said to be in possession of the land comprised in R.S.No.233/1 of Nasiyanur Village, Erode District and put up construction and has been living there for more than 30 years. When things stands so, a show cause notice dated 08.01.2018 has been issued to the petitioner, for which, the petitioner has given a reply on 02.06.2018. Since, no order has

been passed, the petitioner has come before this Court, seeking a writ of mandamus, directing the respondents to give an alternate accommodation to her.

2.Heard, Mr.J.C.Vasudevan, learned counsel appearing for the petitioner and Mr.R.Udhaya Kumar, learned Additional Government Pleader.

3.The notice dated 08.01.2018 would reveal that it is only a show cause notice issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 for which a reply has been sent on 02.06.2018 by the petitioner. The petitioner has also pleaded in the representation to give an alternate accommodation.

4.Taking into consideration the reply given by the petitioner along with the prayer for an alternate accommodation, the 1st respondent is directed to consider the petitioner's prayer for providing alternate accommodation, compassionately, taking into consideration that she is from deprived class and has been living for many years in the encroached land and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order. Till the order is passed and served upon the petitioner, the respondents are directed not to interfere with the possession of the petitioner.

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

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sai

To

1.The District Collector,
Erode District.

2.The Tahsildar,
Erode.

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3.The Land Revenue Inspector,
Erode West Inner Circle,
Erode.

+1cc to Mr.I.C.Vasudevan, Advocate Sr.49881
+1cc to the Government Pleader Sr.49405

W.P.No.18700 of 2018

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srg 14/08/2018



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