

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 29.10.2018

CORAM:
THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.P.No.28334 of 2018 and
WMP No.33043 of 2018

V.Murugesan

...Petitioner

-VS-

- 1.The District Collector,
Villupuram District.
- 2.The Tahsildar,
Chinnasalem, Villupuram District.
- 3.The Block Development Officer,
Chinnasalem Taluk,
Villupuram District.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, to call for the records of the 3rd respondent in Proceeding Na.Ka.No.A199/2018 dated 09.03.2018 and quash the same.

For Petitioner : Mr.P.Paramasivadoss

For Respondents: Mr.J.Pothiraj
Special Govt.Pleader for R1 and R2
Mr.Kamalesh Kannan
Government Advocate for R3

सतयमेव जयते
O R D E R

[Order of the Court was delivered by
K.K.SASIDHARAN, J.]

The order passed by the third respondent dated 9 March 2018 invoking Section 6 of the Tamil Nadu Land Encroachment Act, 1905 is under challenge in this writ petition.

2. The order passed by the third respondent is appealable by filing an appeal under Section 10 of the Land Encroachment Act. Even though the order was passed on 9 March 2018, the writ petition was filed only on 9 October 2018 long after the expiry of the period of limitation.

3. We give liberty to the petitioner to file appeal along with an application under Section 11(4) of the Land Encroachment Act for condoning the delay. In case any such application is filed, the same shall be considered and disposed of by the Appellate Authority taking into account the reasons given by the petitioner for the delay in approaching the authority.

4. The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

svki

To

- 1.The District Collector,
Villupuram District.
- 2.The Tahsildar,
Chinnasalem, Villupuram District.
- 3.The Block Development Officer,
Chinnasalem Taluk,
Villupuram District.

+lcc to Mr.J.Pradeep, Advocate, S.R.No.74997
+lcc to the Government Pleader, S.R.No.74352

सत्यमेव जयते

W.P.No.28334 of 2018

SPD(CO)

rrs 20/11/2018

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