

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2018

CORAM:

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

W.P.No.29273 of 2018,
WMP Nos.34197 and 34199 of 2018

Kadijath Zulaika

...Petitioner

-vs-

The Assistant Engineer
PWD, Water Resource Department,
Cooum River Division, Cooum River Basin,
Chepauk, Chennai - 600 005.

.... Respondent

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, to quash the proceedings pursuant to the notice dated 9.10.2018 issued by respondent under Section 7 of the Land Encroachment Act III of 1905.

For Petitioner : Mr.S.Pugaleanthi

For Respondent : Ms.M.Lalitha
Government Advocate

O R D E R

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

By consent, the writ petition is taken up for disposal during the time of admission.

2. Heard Mr.S.Pugaleanthi, learned counsel for the petitioner and Ms.M.Lalitha, learned Government Advocate on behalf of the respondent.

3. The notice issued to the petitioner under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as the "Act") is under challenge in this writ petition.

4. The respondent initiated proceedings under Section 7 of the Act, treating the petitioner as an encroacher in respect of

the land in Block No.58, Egmore Village. The petitioner is yet to submit her objection to the notice issued under Section 7 of the Act.

5. We grant time till 30 November 2018 to submit objection to the notice issued under Section 7 of the Act. The respondent is directed to consider the objection in an objective manner and pass appropriate orders on merits and as per law. Status Quo as on today shall be maintained till orders are passed by the respondent.

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

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

svki

To

The Assistant Engineer
PWD, Water Resource Department,
Cooum River Division, Cooum River Basin,
Chepauk, Chennai - 600 005.

+lcc to Mr.S.Pugaleanthi, Advocate sr.no.75631

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