



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.05.2018

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
AND
THE HONOURABLE MR.JUSTICE R.SURESH KUMAR**

**W.P(MD)No.11230 of 2018
and
W.M.P(MD)No.10267 of 2018**

R.S.Jeganathan

: Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Revenue Divisional Officer,
Kodaikanal,
Dindigul District.

3.The Tahsildar,
Kodaikanal,
Dindigul District.

4.The Revenue Inspector,
Kodaikanal,
Dindigul District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents not to evict the petitioner and his family members from the house along with agriculture land with Peri Trees and Eucalyptus Trees situated in Survey No.439/B33, T.S.No.6, Ward No.D, Block 24, Shenbaganur Village, Kodaikanal, without following due process of law.

For Petitioner

: Mr.V.Perumal

For Respondents

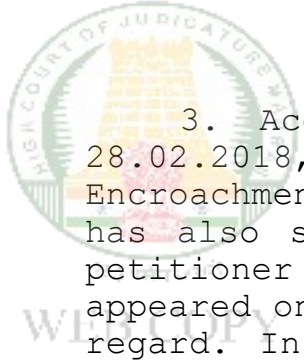
: Mr.A.K.Baskarapandian

Special Government Pleader

O R D E R

(Order of the Court was made by D.KRISHNAKUMAR, J.)

This writ petition has been filed seeking to direct the respondents not to evict the petitioner and his family members from the house situated in Survey No.439/B33, T.S.No.6, Ward No.D, Block 24, Shenbaganur Village, Kodaikanal, without following due process



3. According to the petitioner, the fourth respondent, on 28.02.2018, had issued notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, to the petitioner, for which, the petitioner has also submitted his explanation on 02.03.2018. Thereafter, the petitioner was asked to appear for an enquiry and accordingly, he appeared on 06.04.2018. However, orders are yet to be passed in this regard. In the meantime, the third respondent is taking effective steps to evict the petitioner from the petition mentioned property and hence, the petitioner is before this Court.

4. The learned Special Government Pleader, on instructions, would submit that the petitioner has approached this Court only on apprehension and no action would be taken to evict the petitioner from the aforesaid premises till an order passed under Section 6 of the Tamil Nadu Land Encroachment Act, 1905.

5. Recording the submission of the learned Special Government Pleader, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Vacation Officer

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Dindigul District,
Dindigul.

2.The Revenue Divisional Officer,
Kodaikanal,
Dindigul District.

3.The Tahsildar,
Kodaikanal,
Dindigul District.

4.The Revenue Inspector,
Kodaikanal,
Dindigul District.

+1cc to M/s.V.Perumal, Advocate, SR.No.66013.

+1cc to Special Government Pleader, SR.No.66186.

ORDER MADE IN
W.P (MD) No.11230 of 2018
and
W.M.P (MD) No.10267 of 2018
23.05.2018