



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P(MD)No.12358 of 2018

and

W.M.P(MD)No.11242 of 2018

Raja

... Petitioner

Vs.

1.The District Collector,
Pudukkottai District.

2.The Revenue Divisional Officer,
Illupur Post and Taluk,
Pudukkottai District.

3.The Tahsildar,
Kulathur Post and Taluk,
Pudukkottai District.

4.The Revenue Inspector,
Kunrandar Kovil,
Kulathur Taluk,
Pudukkottai District.

5.Palanisamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records of the fourth respondent in notice, dated Nil issued under Section 7 of the Madras Land Encroachment Act, 1905 and quash the same as illegal and arbitrary.

For Petitioner

: Mr.P.Ganapathi Subramanian

For RR 1 to 4

: Mr.M.Jeya Kumar,

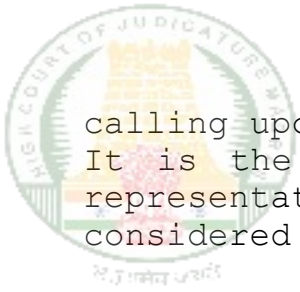
Additional Government Pleader.

ORDER

(Order of the Court was made by M.DURAI SWAMY, J.)

The petitioner has filed the above writ petition to issue a Writ of Certiorari, to call for the records of the fourth respondent in notice, dated Nil issued under Section 7 of the Madras Land Encroachment Act, 1905 and to quash the same.

2.It is the case of the petitioner that the fourth respondent had issued the notice under Section 7 of the Madras Land Encroachment Act, 1905, which was received by him on 03.06.2018,



calling upon him to give his explanation on or before 7th June, 2018. It is the further case of the petitioner that he has given his representation on 04.06.2018. However, the fourth respondent has not considered the same yet.

3.Mr.M.Jeya Kumar, learned Additional Government Pleader takes notice for the respondents and submitted that the fourth respondent may be directed to consider the petitioner's representation, dated 04.06.2018 and pass orders in accordance with law.

4.In view of the submissions made by the learned counsel appearing on either side, we direct the fourth respondent to consider the petitioner's representation, dated 04.06.2018 and pass orders on merits and in accordance with law, after giving notice to the fifth respondent within a period of two weeks from the date of receipt of a copy of this order.

5.With this observation, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Cr1.Side)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Pudukkottai District.
- 2.The Revenue Divisional Officer,
Illupur Post and Taluk,
Pudukkottai District.
- 3.The Tahsildar,
Kulathur Post and Taluk,
Pudukkottai District.
- 4.The Revenue Inspector,
Kunrandar Kovil,
Kulathur Taluk,
Pudukkottai District.

+1CC to Mr.P.Ganapathi Subramanian Advocate in SR.No.68142.

PS

DS/SV-MMS/SAR-2 :26.06.2018: 2P/6C

W.P (MD) No.12358 of 2018
11.06.2018