



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
AND
THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P (MD) No.12683 of 2018
and
W.M.P (MD) Nos.11563 & 11564 of 2018

S.Uruvatti

... Petitioner

Vs.

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.

2. The Tahsildar,
Kamuthi Taluk,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned eviction notice of the second respondent, dated 06.03.2018 and quash the same.

For Petitioner : Mr.D.Sasikumar

For Respondents : 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 relating to the impugned eviction notice of the second respondent, dated 06.03.2018 and to quash the same.

2.The petitioner has challenged the eviction notice issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, dated 06.03.2018. Admittedly, the petitioner has got remedy by way of an appeal before the first respondent challenging the order passed by the second respondent. Without exhausting the appellate remedy, the petitioner has challenged the impugned order, dated



06.03.2018 by way of filing the abovesaid Writ Petition under Article 226 of the Constitution of India.

3. In these circumstances, we are of the considered view that the petitioner has to file an appeal challenging the impugned order, dated 06.03.2018 before the first respondent.

4. Accordingly, liberty is given to the petitioner to challenge the impugned order, dated 06.03.2018 passed by the second respondent before the first respondent within a period of two weeks from the date of receipt of a copy of this order. Till such time, the respondents are directed to maintain status quo.

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

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.
2. The Tahsildar,
Kamuthi Taluk,
Ramanathapuram District.

+ 1 cc TO Mr.D.Sasikumar , Advocate in SR No. 68169
+ 1 cc TO The Special Government Pleader in SR No. 68455

ps
AE/SV MMS/SAR1/28.06.2018/2P/5C

W.P(MD)No.12683 of 2018
14.06.2018