



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
AND
THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P (MD) No.16558 of 2018
and
W.M.P (MD) Nos.14654 & 14655 of 2018

C.Asokan

... Petitioner

Vs.

1. The District Collector,
Thanjavur,
Thanjavur District.

2. The Tahsildar,
Orathanadu Taluk,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned proceedings dated 27.06.2018 in Na.Ka.No.7187/2018/A4 issued by the second respondent and quash the same as illegal.

For Petitioner : Mr.AL.Kannan

For Respondents : Mr.R.Murugan,
Additional Government Pleader.

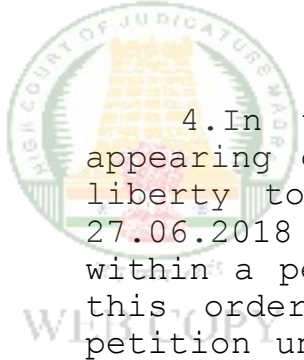
ORDER

(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 proceedings dated 27.06.2018 issued by the second respondent and to quash the same.

2.Mr.R.Murugan, learned Additional Government Pleader taking notice for the respondents submitted that the petitioner has got remedy by way of an appeal under Section 10 of the Tamil Nadu Land Encroachment Act and therefore without exhausting the same this Writ Petition is not maintainable.

3.The learned counsel appearing for the petitioner submitted that the petitioner would challenge the impugned order before the Appellate Authority under Section 10 of the Tamil Nadu Land Encroachment Act within a period of two weeks.



4. In view of the submissions made by the learned counsel appearing on either side, the Writ Petition is disposed of giving liberty to the petitioner to challenge the impugned order dated 27.06.2018 under Section 10 of the Tamil Nadu Land Encroachment Act within a period of two weeks from the date of receipt of a copy of this order. It is also open to the petitioner to file a stay petition under Section 10-B of the Tamil Nadu Land Encroachment Act before the Appellate Authority and if such an application is filed by the petitioner, the Appellate Authority shall decide the same on merits and in accordance with law. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The District Collector,
Thanjavur,
Thanjavur District.
2. The Tahsildar,
Orathanadu Taluk,
Thanjavur District.

+1CC to Mr.AL.Kannan, Advocate, SR.No.75475
+1CC to the Special Government Pleader SR.No. 75768

W.P (MD) No.16558 of 2018
27.07.2018

PS
ES/RP/SAR 4/31.07.2018/2P/5C