



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.RAMATHILAGAM

W.P.(MD).No.19781 of 2017

and

W.M.P.(MD).No.16037 of 2017

Marudhai Veeran

... Petitioner

Vs.

1.The District Collector,
Karur District,
Karur.

2.The Revenue Divisional Officer,
Karur District.

3.The Thasildar,
Kadavur Taluk,
Kadavur.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, restraining the respondents from forcibly dispossessing the petitioner from his occupation of 2 cents of land in Survey No.2008/5 situated at D.Idayapatti Kilakku Village, Kadavur Taluk, Karur District.

For Petitioner	: Mr.V.Madurai Veeran
For Respondents	: Mr.S.Dhayalan Government Advocate

O R D E R

(Order of the Court was made by T.S.SIVAGNANAM,J.)

The petitioner claims to be an occupant of the property over several years and claims that the land is classified as Natham poramboke. The respondents have initiated action against the petitioner for eviction and the petitioner rushed to this Court and filed this writ petition.

2. Record of the proceedings would show that from November 2017, the matter has been adjourned periodically. One of the allegations made by the petitioner is that he alone has been discriminated and other encroachers are left scot-free.

3. The learned Government Advocate appearing for the respondents denies the said allegation and submits that the petitioner is an only encroacher and action has been initiated against him and notice under Section 7 of the Tamil Nadu Land Encroachment Act has been issued on 07.10.2017. However, immediately



thereafter the writ petition was filed and no action has been initiated.

4. In view of the above facts, we dispose of the writ petition by directing the third respondent to proceed further in the matter by issuing notice under section 7 of the Land Encroachment Act and afford an adequate opportunity to the petitioner to submit his objections. On receipt of the objections, an enquiry shall be conducted and document, if any, produced by the petitioner shall be considered and a speaking order will be passed on merits and in accordance with law under Section 6 of the said Act.

5. The above direction shall be complied with by the competent authority within a period of four weeks from the date of receipt of a copy of this order. Till orders are passed in terms of the above, Status quo prevailing as on date (20/02/2018) shall be maintained. No costs. Consequently, W.M.P.(MD).No.16037 of 2017 is closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub-Assistant Registrar

To:

1.The District Collector,
Karur District,
Karur.

2.The Revenue Divisional Officer,
Karur District.

3.The Thasildar,
Kadavur Taluk,
Kadavur.

+One cc to Mr.V.Madurai Veeran, Advocate, SR.No.50006

vsg/cm

RL/5C/2P/KK/SAR4/12/3/2018

W.P.(MD).No.19781 of 2017

and

W.M.P.(MD).No.16037 of 2017