

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2019

CORAM :

The Hon'ble Mrs.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.2089 of 2019
and W.M.P.No.2344 of 2019

R.Gandhiammal .. Petitioner

-vs-

- 1.The Commissioner of Land
Administration, Chepauk, Chennai.
 - 2.The District Collector,
Namakkal District.
 - 3.The District Revenue Officer,
Namakkal District.
 - 4.The Revenue Divisional Officer,
Namakkal District.
 - 5.The Tahsildar,
Rasipuram (Tk), Namakkal District.
 - 6.The Village Administrative Officer,
Mullukuruchi, Rasipuram Taluk,
Namakkal District.
- .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to forbear the respondents from evicting the petitioner without following due process of law and direct the respondents to consider the petitioner reply dated 26.12.2018 in accordance with Revenue Standing Order.

For Petitioners : Mr.K.V.Dhanapalan

For Respondents : Mr.V.Jayaprakash Narayanan
Govt. Pleader (i/c.)

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O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

Mr.V.Jayaprakash Narayanan, learned Government Pleader (i/c.) takes notice on behalf of all the respondents.

2.The petitioner is seeking directions to the respondents not to evict him without following due process of law.

3.It is an admitted fact that the petitioner has received a notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905. The said notice is dated 09.11.2018. The petitioner has also sent her reply to the said notice, which is pending consideration. Before the petitioner is evicted, the petitioner would have to be served with a notice under Section 6 of the Tamil Nadu Land Encroachment Act, 1905.

4.The learned Government Pleader makes a statement that without following due process of law, i.e., without issuing a notice under Section 6 of the said Act, the petitioner shall not be evicted. The said statement is recorded.

In view of the statement made by the learned Government Pleader (i/c.), no further directions are necessary. The writ petition is closed. No costs. Consequently, W.M.P.No.2344 of 2019 is also closed.

Sd/-

Assistant Registrar(CS iii)

//True Copy//

Sub Assistant Registrar

sra

To

1.The Commissioner of Land
Administration, Chepauk, Chennai.

2.The District Collector,
Namakkal District.

3.The District Revenue Officer,
Namakkal District.

4.The Revenue Divisional Officer,
Namakkal District.

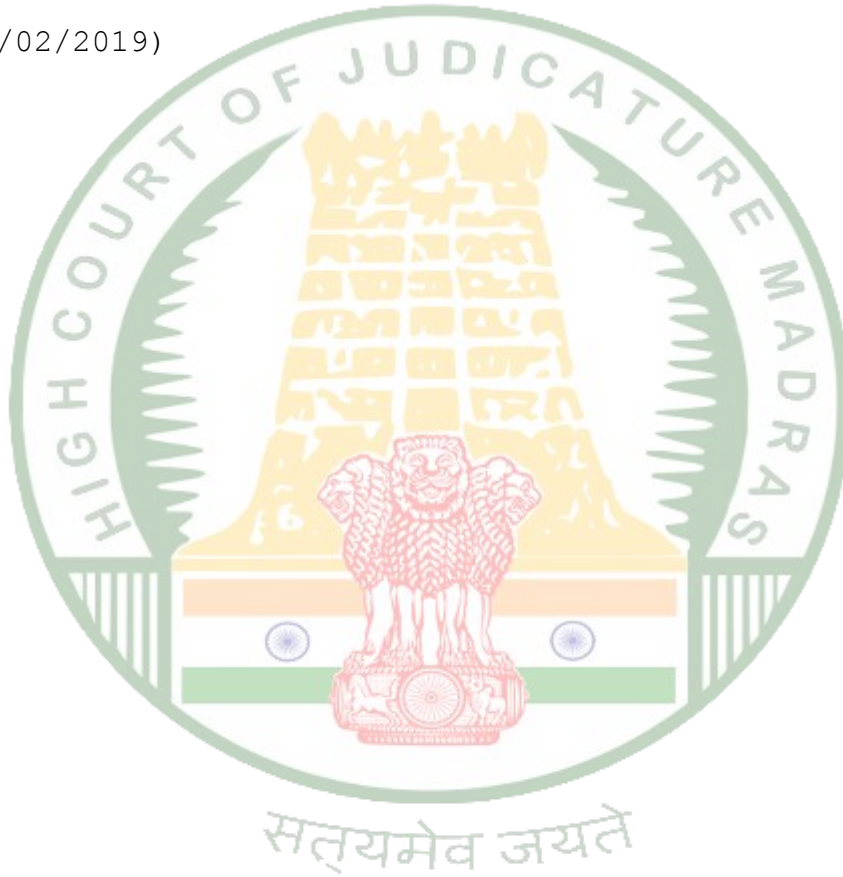
5.The Tahsildar,
Rasipuram (Tk), Namakkal District.

6.The Village Administrative Officer,
Mullukuruchi, Rasipuram Taluk,
Namakkal District.

+1cc to Mr.T.Fenn walter Associates, Advocate SR.No. 6634
Additional Government Pleader 6546

W.P.No.2089 of 2019

A.SK(12/02/2019)



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