

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2019

CORAM :

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.Nos.29505 & 29507 of 2007 and
M.P.W.M.P.No.738 of 2018

A.Elangovan .. Petitioner in W.P.No.29505/2007
S.Pitchaiammal .. Petitioner in W.P.No.29507/2007

Vs.

- 1.The Revenue Inspector,
Alandur Firka, Alandur, Tambaram Taluk,
Chennai.
- 2.The Village Administrative Officer,
21, Z Pallavam - II,
Chennai - 600 043. .. Respondents in both W.Ps

Petitions filed under Article 226 of the Constitution of India praying for issuance of Writs of certiorari to call for the records from the respondents 1 & 2 relating to the notice No.Nil dated 23.08.2007 issued by them under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 and quash the same.

For Petitioner (in both W.Ps) : Mr.V.Venkatasamy
For Respondents (in both W.Ps): Mr.S.Kamalesh Kannan
Government Advocate

C O M M O N O R D E R

(ORDER OF THE COURT WAS MADE BY M.DURAI SWAMY, J.)

Since the issues involved in both the Writ Petitions are identical, both the Writ Petitions are disposed of by this common order.

2.The petitioners have filed the Writ Petitions challenging the notice dated 23.08.2007 issued by the 1st respondent under Section 7 of the Tamil Nadu Land Encroachment Act.

3.Since the 1st respondent has only issued a notice under Section 7 of the Tamil Nadu Land Encroachment Act and that no order has been passed under Section 6 of the Act, the Writ

Petitions filed by the petitioners are premature. The petitioners were called upon to give their reply to the notice issued under Section 7. Only if an order is passed under Section 6 of the Act, the petitioners can file an appeal under Section 10 of the Tamil Nadu Land Encroachment Act.

4. In such view of the matter, the Writ Petitions deserve to be dismissed. Accordingly, the same are dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

va
To

1. The Revenue Inspector,
Alandur Firka, Alandur, Tambaram Taluk,
Chennai.

2. The Village Administrative Officer,
21, Z Pallavam - II,
Chennai - 600 043.

+1 CC to Govt. Pleader sr 65022.

W.P.Nos.29505 & 29507 of 2007 and
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VSNI(CO)
SP(16/08/2019)

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