

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.34164 of 2005
and WP.M.P.No.37047 of 2005

A.S.Jagadeesan

.. Petitioner

-vs-

1.The District Collector, Salem.

2.The Revenue Divisional Officer, Salem.

3.The Tahsildar,
Salem.

4.Revenue Inspector,
Vembadithalam, Salem.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records of the 4th respondent comprised in his notice dated 3.10.2005 quash the same as illegal, unconstitutional, ultra vires the provisions of Land Encroachment Act, 1905 and consequently, direct the respondents to issue patta to the petitioner's land comprised in S.No.23/3 9-1/96, Kakapalayam Road, Ilampillai Village, Salem, admeasuring 0.001 acres.

For Petitioner : Ms.Tanushree Arvind
for Mr.R.Parthasarathy

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

O R D E R

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

Heard the learned counsel for the petitioner and the learned Government Pleader (i/c.) appearing for respondents.

2.The petitioner has approached this Court seeking quashing of the notice issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905. The said notice is dated 03.10.2005.

3.It is an admitted fact that till today, no notice under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, has been issued to the petitioner.

In this view of the matter, this writ petition is premature and hence, it is dismissed. No costs. Consequently, WP.M.P.No.37045 of 2005 is also dismissed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sra

To

1.The District Collector,
Salem.

2.The Revenue Divisional Officer,
Salem.

3.The Tahsildar,
Salem.

4.The Revenue Inspector,
Vembadithalam, Salem.

+lcc to Government Pleader sr.51136

W.P.No.34164 of 2005

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