

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2019

CORAM :

The Hon'ble Mrs.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND
The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.18221 of 2019
and
W.M.P.Nos.17591 and 17592 of 2019

Palaniammal

.. Petitioner

-vs-

- 1.The District Collector,
Office of the District Collector,
Erode District, Erode.
- 2.The District Revenue Officer,
Office of the District Collector,
Erode District, Erode.
- 3.The Revenue Divisional Officer,
Brough Road, Erode - 638 001.
- 4.The Revenue Thasildar,
Taluk Office, Erode 638 001.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order dated 03.06.2019 passed by the 4th respondent, quash the same and consequently, direct the respondents to forbear from interfering with the peaceful possession of the property measuring 0.00.25 cents bearing Survey No.270, Kumilamparappu Village, Erode Taluk, Erode District.

For Petitioner

: Mr.Alihassan Khan

For Respondents

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

ORDER

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

Heard the learned counsel for the petitioner and Mr.V.Jayaprakash, Narayanan, learned Government Pleader (i/c.), appearing for the respondents.

2.The case of the petitioner is that she was issued a notice dated 17.05.2019 under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, in relation to her property measuring 0.00.25 cents bearing Survey No.270, Kumilamparappu Village, Erode Taluk, Erode District. Thereafter, a notice dated 03.06.2019 came to be issued to her under Section 6 of the said Act. The prayer of the petitioner is that the notice under Section 6 of the Act be quashed.

3.As against the notice under Section 6 of the said Act, the petitioner has an efficacious remedy of preferring an appeal under Section 10 of the said Act. She can also prefer a stay application in the said appeal under Section 10-B of the said Act. In view of the same, we are not inclined to interfere with the impugned notices.

4.Thereupon, the learned counsel for the petitioner states that the petitioner will prefer an appeal along with an application for stay before the competent authority within a period of ten days from today.

5.If any such appeal along with an application for stay are filed within a period of ten days from today, the competent authority shall decide the stay application within a period of two weeks thereafter and the appeal be decided thereafter as expeditiously as possible.

The writ petition is disposed of with the above observation. No costs. Consequently, W.M.P.Nos.17591 and 17592 of 2019 are closed.

Sd/-

Assistant Registrar (CS V)

//True Copy//

Sub Assistant Registrar

sra

To

1.The District Collector,
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Erode District, Erode.

2.The District Revenue Officer,
Office of the District Collector,
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3.The Revenue Divisional Officer,
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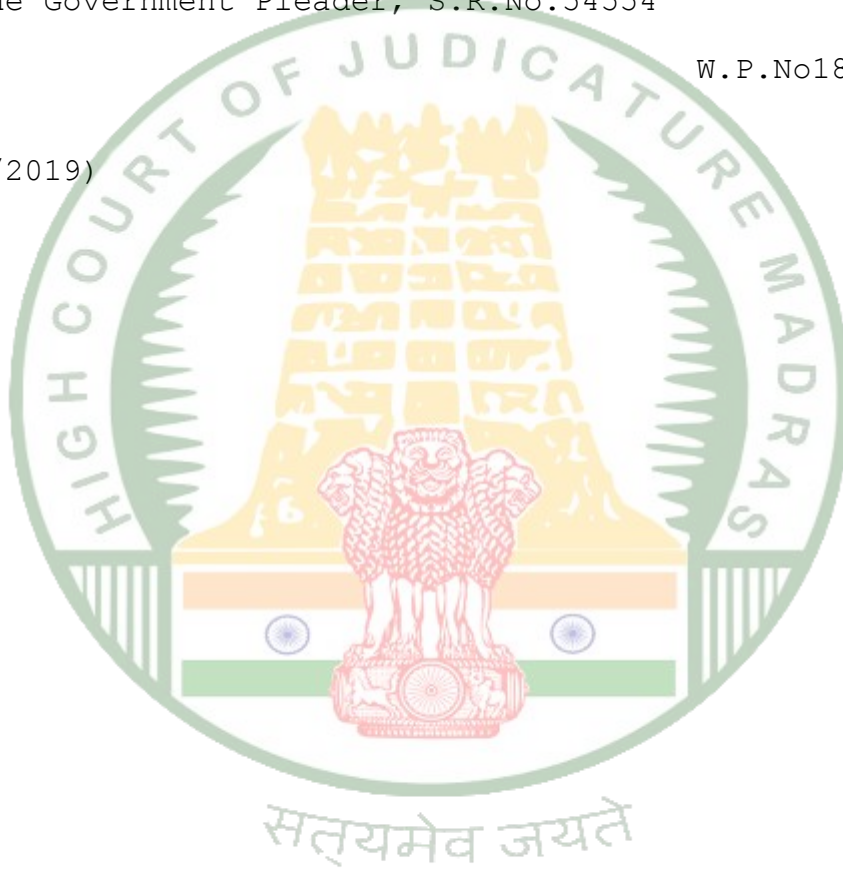
+lcc to Mr.B.Mohan, Advocate, S.R.No.54595

+lcc to the Government Pleader, S.R.No.54554

W.P.No18221 of 2019

KJI (CO)

RRS (01/07/2019)



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