

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2020

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.35020 of 2005
and
W.P.M.P.No.37973 of 2005

Muthayammal,
W/o.Sengodagounder

.. Petitioner

-vs-

1.The Tahsildar,
Edappadi Taluk,
Edappadi,
Salem District.

2.The Revenue Inspector,
Thevoor Village,
Edappadi Taluk,
Salem District.

.. Respondents

Petition under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records pertaining to the order dated 15.10.2005 issued by the 2nd respondent herein under Section 5 of the Land Encroachment Act, 1905 and the consequential notice dated 21.10.2005 issued by the 1st respondent herein under Section 6 of the Land Encroachment Act, 1905, and quash the same.

For Petitioner : Mr.N.Manokaran

For Respondents : Ms.A.Madhumathi,
Special Government Pleader

ORDER

This writ petition has been filed challenging the proceedings initiated under the provisions of the Tamil Nadu Land Encroachment Act, 1905.

2.There is no irregularity in the procedure adopted by the respondents. Furthermore, the respondents have taken over

possession of the property by demolishing the superstructure illegally put up by the petitioner.

3. According to the petitioner, he has got right over the property in S.F.No.139/15. If that is so, the forum is not a writ petition to establish the title and the remedy of the petitioner lies elsewhere, which he may avail, if so advised.

4. This writ petition stands dismissed with the above observation. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

abr

To

1. The Tahsildar,
Edappadi Taluk,
Edappadi,
Salem District.

2. The Revenue Inspector,
Thevoor Village,
Edappadi Taluk,
Salem District.

+1 CC to M/s. N.Manokaran, Advocate, sr 18991
+1 CC to The Government Pleader sr 19247

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W.P.No.35020 of 2005

CP (CO)
AT (21/05/2020)



सत्यमेव जयते

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