

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No.8862 of 2020

Kumutha

.. Petitioner

Vs.

1.The District Collector,
Salem Collector Office,
Salem District.

2.The Tahsildar,
Mettur Taluk Office,
Mettur, Salem District.

3.The Executive Officer,
Kolathur Special Grade Panchayat,
Mettur Taluk, Salem District.

.. Respondents

Prayer: Writ Petition filed under 226 of the Constitution of India to issue a writ of certiorarified mandamus or any other writ or appropriate order or direction, calling for the records of the 2nd respondent issuing of notice vide proceedings dated 18.03.2020 under Section 6 of the Tamil Nadu Encroachment Act 1905 quash the same and direct the respondents not to evict the petitioner from the premises which is situated in S.No.304/34, Ambedkar Nagar, Kolathur Post, Mettur Taluk, Salem District total to the extent of 0.0195.0 sq.ft.

For Petitioner .. Mr.M.Senthilkumar

For Respondents.. Mr.G.K.Muthukumar, Spl. G.P.

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

Mr.G.K.Muthukumar, learned Special Government Pleader takes notice for the respondents.

2.The petitioner has come forward to file this writ petition, challenging the impugned order passed by the second respondent by which notice of eviction was issued to her under Section 6 of the Tamil Nadu Land Encroachment Act, 1905.

3. Admittedly, the order impugned is appealable in nature. In such view of the matter, we are not inclined to entertain this writ petition. Considering the facts of the case, the petitioner is given four weeks' time from the date of receipt of a copy of this order to file an appeal before the first respondent. Till such time, status quo, as on today shall be maintained.

4. The writ petition stands disposed of accordingly. No costs. Consequently, connected W.M.P.Nos. 10768 and 10769 of 2020 are closed.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1.The District Collector,
Salem Collector Office,
Salem District.

2.The Tahsildar,
Mettur Taluk Office,
Mettur, Salem District.

3.The Executive Officer,
Kolathur Special Grade Panchayat,
Mettur Taluk, Salem District.

W.P.No.8862 of 2020

MR(CO)
CB(31/07/2020)