

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MRS.JUSTICE R. HEMALATHA

W.P.No.9988 of 2020 &
WMP.Nos.12140 & 12142 of 2020

Saratha

.. Petitioner

Vs.

1.The District Collector,
Krishnagiri District.

2.The Thasildar,
Pochampalli Circle,
Krishnagiri District.

.. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus Calling for the records on the file of the 2nd Respondent in notice dated 10.3.2020 issued in respect to the land situate at survey No.41/1 at Kudimena Halli village to an extent of 0.03.0 Hectares and quash the same and further direct the 2nd respondent to issue patta in favour of the petitioner land situate at survey No 41/1 Kudimena Halli village to an extent of 0.03.0 hectares.

For Petitioner : Mr.K.V.Sanjeev Kumar
For Respondents: Mr.R.Udhayakumar,
Addl. Government Pleader

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner has come forward to file this writ petition challenging the proceedings of the second respondent, by which, an order of eviction was passed invoking the provision of the Tamil Nadu Land Encroachment Act, 1905.

2.Though the learned counsel appearing for the petitioner submitted that the said order was not preceded by Section 7 of the aforesaid Act, we are not inclined to go into the said issue. The petitioner has not challenged the order impugned by

filing an appeal but on the contrary, he only sought for patta, while acknowledging the fact that it is not a private land. The patta proceedings is also pending consideration with the 2nd respondent as could be seen from the memo dated 18.06.2020.

3. In such view of the matter, without going into the merits of the case, we only call upon the 2nd respondent to pass final orders on the proceedings in O.Mu.No.1129/2020/A2 dated 18.06.2020, after affording opportunity to the petitioner, within a period of six weeks from the date of receipt of a copy of this order. Status quo as on today shall be maintained till the final order is passed. If final order has already been passed, the same will have to be communicated to the petitioner so to enable her to work out the remedy in the manner known to law.

4. The writ petition stands disposed of accordingly. No costs. Consequently connected writ miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS I)

//True Copy//

Sub Assistant Registrar

raa/kmk

To

1. The District Collector,
Krishnagiri District.

2. The Thasildar,
Pochampalli Circle,
Krishnagiri District.

+1 cc to M/s.K.V.Sanjeev kumar, Advocate Sr.No. 25556

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AJS (CO)
RMP (01/09/2020)

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