



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2020

CORAM

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**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
AND
THE HONOURABLE MR.JUSTICE T.RAVINDRAN**

**W.P(MD)No.434 of 2020
and
W.M.P(MD)No.339 of 2020**

Sebathiammal

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.

3.The Tahsildar,
Sivakasi Taluk,
Virudhunagar District.

4.The Commissioner,
Thiruthangal Municipality,
Thiruthangal,
Sivakasi Taluk,
Virudhunagar District.

5.The Revenue Inspector,
Thiruthangal,
Sivakasi Taluk,
Virudhunagar District.

6.Mariammal

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari to call for the records of the fifth respondent in his proceedings dated 23.12.2019 and quash the same as illegal, arbitrary, violation of law and without jurisdiction.



For Petitioner : Mr.M.Jothibasu
For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader
for R.1 to R.3 & R.5

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ORDER

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

The petitioner has filed the above writ petition seeking to issue a Writ of Certiorari to call for the records of the fifth respondent in his proceedings dated 23.12.2019 and quash the same.

2. The petitioner has challenged the show cause notice issued under Section 7 of the Tamil Nadu Land Encroachment Act in this writ petition. Since the notice under Section 7 of the Act is only a show cause notice, the same cannot be challenged by the petitioner.

3. The learned Counsel for the petitioner submitted that the petitioner had already given her explanation on 02.01.2020 to the notice issued under Section 7 of the Act.

4. It is needless to say that before passing the order under Section 6 of the Act, the official respondents shall consider the explanation given by the petitioner.

5. With these observations, this writ petition is dismissed. No costs. Consequently, the connected writ miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rsb

To

1.The District Collector,
Virudhunagar District,
Virudhunagar.



2.The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.

3.The Tahsildar,
Sivakasi Taluk,
Virudhunagar District.

4.The Revenue Inspector,
Thiruthangal,
Sivakasi Taluk,
Virudhunagar District.

+1 CC to M/s.G.M.LAW ASSOCIATES, Advocate (SR-1064[F] dated
09/01/2020)

+1 CC to M/s.SPL.GP (SR-1302[F] dated 10/01/2020)

W. P (MD) No. 434 of 2020

and

W. M. P (MD) No. 339 of 2020

09.01.2020

JMN(24.01.2020) 3P : 7C