



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **08.12.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **N. KIRUBAKARAN**

AND

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P. (MD)No.17952 of 2020
and W.M.P. (MD)No.14959 of 2020

M.Selvaraj

... Petitioner

Vs.

The Tahsildar,
Virudhunagar.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of certiorari, calling for the relevant records pertaining to the respondent Notice Dated 28.10.2020 issued to the petitioner to demolish the compound wall and quash the same.

For Petitioner	:	Mr.K.K.Samy
For Respondent	:	Mr.R.Murugan, Additional Government Pleader

ORDER

[Order of the Court was made by **N. KIRUBAKARAN, J.**]

The petitioner has challenged the order passed under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as "the Act"), alleging that he was not given a notice under Section 7 of the Act, before passing the impugned order.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondent.

3. Though it is contended by Mr.R.Murugan, learned Additional Government Pleader appearing for the respondent that a notice under Section 7 has already been issued, this Court, without going into the claim of the petitioner, directs the petitioner to treat the impugned notice as a notice under Section 7 of the Act and the petitioner shall give his reply along with the required documents to the respondent within a period of two weeks. After getting reply and required documents from the petitioner, the respondent shall pass appropriate orders within a period of four weeks. Till the order is passed under Section 6 of the Act, the petitioner's possession shall not be disturbed. After passing orders, appropriate action shall be taken by the respondent.



4. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AD-II)

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note: 1. In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Tahsildar,
Virudhunagar.

+1 CC to Mr.KK.SAMY, Advocate SR.No. 24711

W.P. (MD) No.17952 of 2020
08.12.2020

CK(CO)
TR(04.01.2021) 2P 3C