



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2020

CORAM:

**THE HONOURABLE MR.JUSTICE M.DURAISWAMY
AND
THE HONOURABLE MR.JUSTICE T.RAVINDRAN**

W.P(MD)No.26497 of 2019

and

W.M.P(MD)Nos.22896, 22897 & 22898 of 2019

The C.S.I District Church,
Marthandam,
Rep. by its Secretary,
V.Jeyakumar.

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District at Nagercoil.

2.The Tahsildar,
Vilavancode Post,
Kuzhithurai Post,
Kanyakumari District.

3.The Revenue Inspector,
Vilavancode Taluk,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned notice issued by the second respondent on 27.11.2019 to Church (1) under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, to remove the encroachment made in Survey No.D3/47 (Nilaviyal Pathai) to Church of South India with respect to stairs quash the same.

For Petitioner : Mr.F.Deepak

For Respondents : Mr.VR.Shanmuganathan,
Special Government Pleader.



ORDER

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

The learned counsel appearing for the petitioner submitted that challenging the impugned order dated 27.11.2019 issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, the petitioner has filed an appeal under Section 10 of the Tamil Nadu Land Encroachment Act, 1905, before the first respondent. Further, the learned counsel submitted that in view of the filing of the appeal by the petitioner, the Writ Petition may be closed.

2.Recording the submissions made by the learned counsel appearing for the petitioner, the Writ Petition is closed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ps

To

- 1.The District Collector,
Kanyakumari District at Nagercoil.
- 2.The Tahsildar,
Vilavancode Post,
Kuzhithurai Post,
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- 3.The Revenue Inspector,
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