



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.06.2021**

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.P. (MD)No.9480 of 2021

and W.M.P. (MD) No.7210 of 2021

(Through Video Conferencing)

S.Sakthivel : Petitioner

Vs.

1.The District Collector
Collectorate Office
Virudhunagar
Virudhunagar District

2.The Tahsildar,
Taluk Office, Vembakottai Taluk
Virudhunagar District

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Certiorarified Mandamus to call for the records of the 2nd respondent impugned order Na.Ka.Aa.1/2765/2020 dated 15.04.2021 quash the same and consequently forbearing the respondents in interfering with Survey No.65/1 to the extent of Hectares 0.22.5 in poosal oorani, E.Ramanathapuram Village, Elayirampennai, Vembakottai Taluk, Virudhunagar District.

For Petitioner : Mr.S.Mahalakshmi

For Respondents : Mr.A.K.Manickam
Standing counsel for Government

ORDER

(Order of the Court was made by T.S.SIVAGNANAM, J)

The petitioner is aggrieved by a notice issued under Section 7 of the Tamil Nadu Land Encroachment Act stating that the petitioner has encroached an Oorani and encroachment has been in existence for four years.

2. The petitioner would state that his forefather has established the Oorani and that is why it is called a Poosal Oorani. These are all matters the petitioner has to establish before the Tahsildar and the same cannot be adjudicated in a writ petition. The petitioner has given a reply to the notice on 20.04.2021 sent by



speed post on 21.04.2021. Therefore, we direct the second respondent to consider the said reply. If there is any valid plea raised, the same shall be taken into consideration, otherwise, appropriate action be initiated in accordance with law. These directions be complied with within a period of eight weeks from the date of receipt of a copy of this order.

3. The writ petition is disposed of accordingly. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

Note: 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

1.The District Collector
Collectorate Office
Virudhunagar
Virudhunagar District

2.The Tahsildar,
Taluk Office, Vembakottai Taluk
Virudhunagar District

+1 CC to M/s.SPL GP (SR-19026[F] dated 08/06/2021)

Order made in
W.P. (MD)No.9480 of 2021
Dated: 04.06.2021

SJ(CO)
TR(16.06.2021) 2P 4C