



WEB COPY

W.P(MD)NO.19451 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P (MD) NO.19451 of 2021

and

W.M.P (MD) Nos.16167 and
16168 of 2021

Ravichandran

: Petitioner

vs.

1.The District Collector,
Office of the District Collector,
Thanjavur District.

2.The Tahsildar,
Orathanadu Taluk Office,
Orathanadu,
Thanjavur District.

3.The Revenue Inspector,
Ulur Circle,
Vorathanadu Taluk,
Thanjavur District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned notice issued by the third respondent under Section 6 of the Tamil Nadu Land Encroachment Act, dated 08.10.2021 and to quash the same as illegal and consequently directing the respondents to take a decision for handover the land by fixing sale consideration as per the guideline value of the said land comprised in S.No.314/1, situated at Chinna Ponnapur Village, Orathanadu Taluk and take necessary action by considering his representation, dated 01.10.2021.

For Petitioner : Mr.B.Jameel Arasu

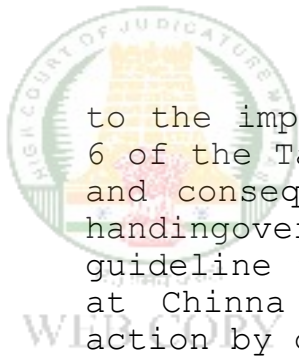
For Respondents : Mr.B.Saravanan
Government Advocate

O R D E R

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

The petitioner has filed the above Writ Petition to issue a Writ of Certiorarified Mandamus, to call for the records pertaining

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to the impugned notice issued by the third respondent under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 and to quash the same and consequently directing the respondents to take a decision for handingover the land by fixing the sale consideration as per the guideline value of the said land comprised in S.No.314/1, situated at Chinna Ponnapur Village, Orathanadu Taluk and take necessary action by considering his representation, dated 01.10.2021.

2.The petitioner has challenged the order passed by the third respondent under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, without exhausting the alternative appeal remedy available to him under Section 10 of the Tamil Nadu Encroachment Act. Since, the petitioner has filed the Writ petition without exhausting the appeal remedy, we are not inclined to entertain the Writ petition.

3.Accordingly, the Writ Petition is dismissed. No costs. However, it is open to the petitioner to challenge the order passed by the third respondent as per the provisions of the Tamil Nadu Land Encroachment Act, 1905. Consequently, the connected Miscellaneous Petitions are also closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsn/lr

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,
Office of the District Collector,
Thanjavur District.
- 2.The Tahsildar,
Orathanadu Taluk Office,
Orathanadu,
Thanjavur District.



3.The Revenue Inspector,
Ulur Circle,
Vorathanadu Taluk,
Thanjavur District.

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+1 CC to M/s.SPL.GP (SR-33369[F] dated 01/11/2021)

ORDER MADE IN
W.P (MD) NO.19451 of 2021
and
W.M.P (MD) Nos.16167 and
16168 Of 2021
29.10.2021

SJ(CO)
RS/SKN (16.11.2021) 3P 5C