



WEB COPY

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.19527 OF 2021
and
W.M.P(MD)No.16221 of 2021**

Radhabai :Petitioner

.vs.

1.The District Collector,
Tiruchirappalli District.

2.The Tahsildar,
Tiruchirappalli West Taluk,
Tiruchirappalli.

: 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 of the second respondent, dated 21.10.2021 served on the Petitioner on 23.10.2021 and to quash the same and consequently forbearing the respondents from interfering with the peaceful possession and enjoyment of the property in Old S.No.1514, Block No.71, Old Ward No.1, New T.S.No.147, New Ward-X, New Block No.24, a thatched house to an extent of 600 sq.ft situate at Ko.Abishekapuram Village, Tiruchirappalli.

For Petitioner : Mr.J.Anandkumar

For Respondents : Mr.B.Saravanan
Govt.Advocate

O R D E R

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

Mr.J.Anandkumar, learned counsel appearing for the Petitioner seeks permission of this Court to withdraw the Writ Petition, with liberty to file an appeal under Section 10 of the Tamil Nadu Land Encroachment Act, 1905, Further, the learned counsel submitted that the Petitioner's possession may be protected for a period of one week.



2.Mr.B.Saravanan, learned Government Advocate takes notice for the respondents and submitted that the respondents have no objection for granting such liberty.

3.In view of the submission made by the learned counsel appearing on either side, this Writ Petition is dismissed as withdrawn. No costs. Liberty is granted to the Petitioner to file an appeal as against the order, dated 21.10.2021 passed by the second respondent under Section 10 of the Tamil Nadu Land Encroachment Act, 1905. The Petitioner is directed to file the appeal within a period of one week from the date of receipt of a copy of this order. The respondents are directed to maintain status-quo, as of today, for a period of one week. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar(CS-)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsn

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,
Tiruchirappalli District.

2.The Tahsildar,
Tiruchirappalli West Taluk,
Tiruchirappalli.

COPY TO

The Section Officer,E.R.Section,
Madurai Bench of Madras High Court, Madurai.

(to return the original impugned order dated
21.10.2021 to the learned counsel for the Petitioner
enabling him to file an appeal.)

ORDER MADE IN
W.P(MD)NO.19527 OF 2021
and W.M.P(MD)No.16221 of 2021
29.10.2021

RS-TR/JCP/SAR-II(28.10.2021) 2P 4C

<https://hcservices.ecourts.gov.in/hcservices/>