



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2021

CORAM:

**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND**

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P(MD)No.21499 of 2021

and W.M.P. (MD) Nos.18057 and 18058 of 2021

M.Indra

... Petitioner

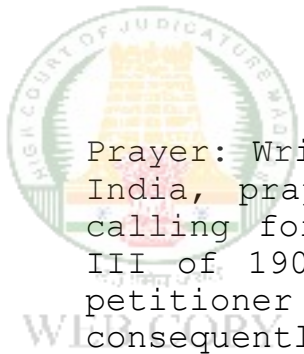
Vs.

- 1.The District Collector,
Pudukottai District.
- 2.The Assistant Director,
Village Panchayat,
Thekkatoor Panchayat,
Thirumayam Taluk,
Pudukottai District.
- 3.The Revenue Divisional Officer,
The Revenue Divisional Office,
Thirumayam Taluk,
Pudukottai District.
- 4.The Tahsildar,
Thirumayam Taluk,
Pudukottai District.
- 5.The Block Development Officer,
Thekkatoor Panchayat,
Araimangalam Panchayat Union,
Thirumayam Taluk,
Pudukottai District.
- 6.The Village Administrative Officer,
Thekkatoor Panchayat,
Thirumayam Taluk,
Pudukottai District.

7.Muthulakshmi

8.Pandi

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of the impugned order dated NIL under Act III of 1905 and under Section 7 affixed on the door of the writ petitioner on 04.11.2021 by the 4th Respondent and quash the same, consequently allowing the writ petitioner to continue with the house construction work at Thirumaiyam Taluk, ThekaturVattarm, KamarajChettichathiram, Puddukottai District.

For Petitioner : Mr.V.Alageshkumar

For Respondent Nos.1 : Mr.P.Subbaraj
to 4 & 6 Special Government Pleader

For Respondent No.5 : Mr.B.Saravanan
Additional Government Pleader

O R D E R

(Order of the Court was made by PUSHPA SATHYANARAYANA, J.)

The writ petitioner, who is a party to the early Writ Petition in W.P.(MD) No.10333 of 2021, has filed this Writ Petition, challenging the notice issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905.

2.Mr.P.Subbaraj, learned Special Government Pleader, accepts notice on behalf of respondent Nos.1 to 4 and 6 and Mr.B.Saravanan, learned Additional Government Pleader, accepts notice on behalf of respondent No.5. In view of the order we propose to pass in this Writ Petition, notice to respondent Nos.7 and 8 are dispensed with.

3.By consent of both sides, this Writ Petition itself is taken up for final disposal at the time of admission.

4.This is only a Show Cause Notice, calling upon the petitioner to raise her objections, either in writing or in person. Once the petitioner has given her objections under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, an order will be passed by the appropriate authority, which is also appealable under Section 10 of the Act.

5.The learned Additional Government Pleader appearing for respondent No.5 has produced a photo copy of 'A' Register, wherein S.No.564/2 is shown as Oorani and it is a Government Poramboke.

6.The learned counsel for the petitioner also states that it is used as Thidal. However, he stated that the petitioner has been residing there for three decades.



7. Be that as it may, the petitioner is at liberty to submit his objections in the enquiry. In view of the above, the Writ Petition stands dismissed with the above observations. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj

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,
Pudukottai District.
2. The Assistant Director,
Village Panchayat,
Thekkatoor Panchayat,
Thirumayam Taluk,
Pudukottai District.
3. The Revenue Divisional Officer,
The Revenue Divisional Office,
Thirumayam Taluk,
Pudukottai District.
4. The Tahsildar,
Thirumayam Taluk,
Pudukottai District.
5. The Block Development Officer,
Thekkatoor Panchayat,
Araimangalam Panchayat Union,
Thirumangalam Panchayat Union,
Thirumayam Taluk,
Pudukottai District.



6.The Village Administrative Officer,
Thekkatoor Panchayat,
Thirumayam Taluk, Pudukottai District.

+1 CC to M/s.V.ALAGESH KUMAR, Advocate (SR-37430[F] dated
06/12/2021)

+1 CC to M/s.SPL GP (SR-37392[F] dated 06/12/2021)

W.P (MD) No.21499 of 2021
03.12.2021

MGJ(15.12.2021) 4P 9C