



WEB COPY

W.P(MD)No.21955 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.12.2021

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

and

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P (MD)No.21955 of 2021

and

WMP (MD)No.18530 of 2021

D.Sankar

... Petitioner

vs.

1) The District Collector,
Thanjavur District,
Thanjavur.

2) The Thasilar,
Office of the Thasildar,
Papanasam Taluk,
Thanjavur District.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari, calling for the records of the 2nd Respondent pertaining to the Notice dated 12.04.2021 Under section 7 of Act III (Chennai) 1905 in respect of lands of the petitioner comprised in Survey No.47/2A, of an extent of Acre 13.19 cents land situated in Raramuthirakottai Village, Papanasam Taluk, Thanjavur District and quash the same.

For Petitioner : Mr.M.Premkumar

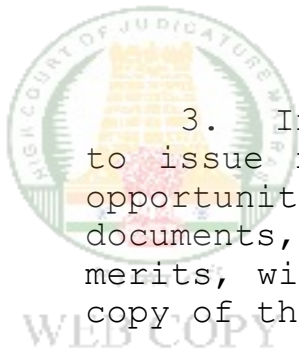
For Respondents : Mr.P.Subbaraj
Special Government Pleader

ORDER

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

The writ petitioner has moved this Court, challenging the notice issued under Section 7 of the Tamilnadu Land Encroachment Act, 1905, dated 12.04.2021. However, to the said notice, the reply has been given by the petitioner on 04.10.2021.

2. As per Section 6 of the Act, an enquiry has to be conducted summarily, after giving opportunity to the petitioner and then appropriate orders has to be passed. Even before the same could be done, the petitioner has moved this Court.



3. In view of that, we direct the Tahsildar, 2nd respondent, to issue notice of enquiry to the petitioner and afford him an opportunity of personal hearing and to produce all the relevant documents, consider the same and then pass appropriate orders, on merits, within a period of six weeks from the date of receipt of a copy of this order.

4. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1) The District Collector,
Thanjavur District,
Thanjavur.

2) The Thasilar,
Office of the Thasildar,
Papanasam Taluk,
Thanjavur District.

+1 CC to M/s.SPL GP (SR-38298[F] dated 13/12/2021)

+1 CC to M/s.M.PREMKUMAR, Advocate (SR-38653[F] dated
14/12/2021)

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RK(23/12/2021) 2P 5C