



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.1676 of 2022
and
W.M.P.No.1817 of 2022

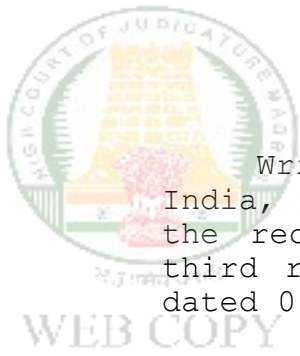
1.G.Manikandan
2.G.Kaliyamoorthy
3.K.Ramadoss
4.K.Selvam

...Petitioners

Vs.

1. The District Collector,
District Collector Office,
Ariyalur & District.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Udayarpalayam Ariyalur District.
3. The Tahsildar,
Tahsildar Office,
Jayankondam,
Ariyalur District.
4. The Assistant Director,
Assistant Director Office,
Department of Animal Husbandry,
Udayarpalayam & Taluk,
Ariyalur District.
5. The Revenue Inspector,
Revenue Inspector Office,
T.Palur, Udayarpalayam Taluk,
Ariyalur District.
6. The Village Administrative Officer,
Village Administrative Office,
Anaikudam Village,
Udayarpalayam Taluk, Ariyalur District.

...Respondents



Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari to call for the records in pursuant to the impugned order passed by the third respondent under Section 6 of the Chennai III Act, 1905 dated 06.01.2022 and quash the same.

For petitioner : Mr.R.Sivaraman
For respondents : Mr.K.V.Sajeevkumar
Special Government Pleader

ORDER

(The Order of the Court was made by K.KALYANASUNDARAM,J)

Mr.K.V.Sajeevkumar, learned Special Government Pleader takes notice on behalf of the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

2. Challenging the impugned order passed by the third respondent under Section 6 of the Chennai III Act, 1905, dated 06.01.2022, the present writ petition is filed.

3. The learned counsel appearing for the petitioner would state that though the impugned order came to be passed on 06.01.2022, it was served belatedly, hence, the petitioner did not have sufficient time to prefer an appeal before the first respondent/District Collector under Section 10 of the Act. Further, the learned counsel for the petitioner fairly conceded that the petitioner is having statutory remedy of filing an appeal under Section 10 of the Act.

4. In this regard, we have heard the learned Special Government Pleader appearing for the respondents.

5. Considering the submission made by the learned counsel for the petitioner, we permit the petitioner to prefer the appeal under Section 10 of the Act before the first respondent within a period of four weeks from today. On such compliance, the first respondent shall entertain the same and dispose of it on merits and in accordance with law, after affording ample opportunity to all the necessary parties. Till then, no coercive steps shall be taken. It is made clear that if the appeal is not preferred in time as stated above, the respondents shall take further action to remove the alleged encroachment.



6. With the above directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

skn

To

1. The District Collector,
District Collector Office, Ariyalur District.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Udayarpalayam, Ariyalur District.
3. The Tahsildar,
Tahsildar Office,
Jayankondam, Ariyalur District.
4. The Assistant Director,
Assistant Director Office,
Department of Animal Husbandry,
Udayarpalayam & Taluk, Ariyalur District.
5. The Revenue Inspector,
Revenue Inspector Office, T.Palur,
Udayarpalayam Taluk, Ariyalur District.
6. The Village Administrative Officer,
Village Administrative Office, Anaikudam Village,
Udayarpalayam Taluk, Ariyalur District.
7. The Section Officer,
E.R.Section (Records), High Court, Madras.

+1cc to Mr.R.Sivaraman, Advocate SR. No.7296
+1cc to Government Pleader SR. No.7694

W.P.No.1676 of 2022
and
W.M.P.No.1817 of 2022

AKII (CO)
PR (15/02/2022)