



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.6515 of 2022

- 1.Chinnasamy
- 2.Ponnan
- 3.Madhan
- 4.Chinnavan
- 5.Devaki
- 6.Chinnasamy
- 7.Lakshmi
- 8.Palaniammal
- 9.Madhan
- 10.Duraisamy
- 11.Govindaraji
- 12.Gowrammal
- 13.Chandramathi

.. Petitioners

Vs

- 1.The District Collector,
Krishnagiri District, Krishnagiri.
- 2.The District Revenue Officer,
Krishnagiri.
- 3.The Revenue Divisional Officer,
Krishnagiri.
- 4.The Thasildar,
Krishnagiri Taluk,
Krishnagiri District.
- 5.The Revenue Inspector,
Periyamuthur Firka,
No.113, Baleguli Village,
Krishnagiri Taluk and District.



6.The Village Administrative Officer,
Baleguli Village,
Krishnagiri Taluk and District.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for a writ of certiorarified mandamus calling for the records relating to the proceedings in Na.Ka.No.4198/2020/Aa1 dated 28.02.2022 and the consequential notices dated 02.03.2022 under Section 6 of Tamilnadu Land Encroachment Act, 1905 issued to the petitioners by the fourth respondent and quash the same and issue consequential directions to the respondents to initiate action on the proposal submitted by the Tahsildar, Krishnagiri in Na.Ka.No.4198/2020/Aa1 dated 12.11.2020 for grant of patta to the petitioners in respect of a piece of land in S.No.334 and 335 in Baleguli-2 Village, Krishnagiri Taluk and District.

For the Petitioner : Mr.D.Baskar

For the Respondents : Mr.J.Ravindran
Addl. Advocate General
assisted by
Mr.A.Selvendran
Spl. Government Pleader

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

By this writ petition a challenge is made to the notices dated 02.03.2022 issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 [for short, "the Act of 1905"].

2. Learned counsel appearing for the petitioners admits that the petitioners have filed statutory appeals against the notices issued under Section 7 of the Act of 1905 and the same are pending consideration before the appellate authority.

3. In view of the above, the petitioners cannot maintain and press two simultaneous proceedings against the action initiated to remove the encroachments and, therefore, the present writ petition is not maintainable.



4. Accordingly, the writ petition is dismissed. There will be no order as to costs. Consequently, W.M.P.Nos.6596, 6599 and 6603 of 2022 are closed.

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Sd/-
Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

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To:

- 1.The District Collector,
Krishnagiri District, Krishnagiri.
- 2.The District Revenue Officer,
Krishnagiri.
- 3.The Revenue Divisional Officer,
Krishnagiri.
- 4.The Thasildar,
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Krishnagiri Taluk and District.
- 6.The Village Administrative Officer,
Baleguli Village,
Krishnagiri Taluk and District.

+1cc to Mr.R.Thamarai Selvan, Advocate SR.No.26445

W.P.No.6515 of 2022

PA (CO)
GMY (25/04/2022)