



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2022

CORAM :

THE HON'BLE MR. JUSTICE M.DURAI SWAMY
AND
THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

W.P.No.9347 of 2022
and
W.M.P.No.9098 of 2022

Junas

..Petitioner

Vs.

1. The District Collector,
Udhagamandalam,
The Nilgiris District.
2. The Tahsildar,
Udhagamandalam,
The Nilgiris District.
3. Firka Revenue Inspector,
Sholur Firka,
Udhagamandalam,
The Nilgiris District.

..Respondents

Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned order under Section 7 of the Land Encroachment Act, 1905 dated 25.03.2022 of the 3rd respondent and quash the same and direct the respondents to consider the petitioner appeal dated 31.03.2022.

For Petitioner : Ms.Reshmi Christy

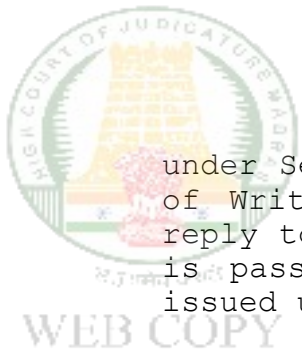
For Respondents : Mr.A.Selvendran,
Special Government Pleader

O R D E R

(ORDER OF THE COURT WAS MADE BY M.DURAI SWAMY, J.)

The petitioner has filed the above Writ Petition to issue a Writ of Certiorarified Mandamus relating to the impugned notice issued under Section 7 of the Land Encroachment Act, 1905.

2.Since the 2nd respondent had issued the show cause notice



under Section 7 of the Act, the same cannot be challenged by way of Writ Petition. The petitioner is at liberty to submit his reply to the notice issued by the 2nd respondent. Unless an order is passed under Section 6 of the Act, the show cause notice issued under Section 7 cannot be challenged.

3. In such view of the matter, we are not inclined to entertain the Writ Petition. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Udhagamandalam,
The Nilgiris District.
2. The Tahsildar,
Udhagamandalam,
The Nilgiris District.
3. Firka Revenue Inspector,
Sholur Firka,
Udhagamandalam,
The Nilgiris District.

+1cc to the Government Pleader, S.R.No.26164

W.P.No.9347 of 2022
and
W.M.P.No.9098 of 2022

AD(CO)
RGA(25/04/2022)