



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED : 01.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.NO.13612 OF 2022
AND
W.M.P.NOS.12837 & 12838 OF 2022

Sanmugam

...Petitioner

Vs

1.The District Collector
Tiruppur District Collectorate
Tiruppur - 641 604.

2.The Tahsildar
Taluk Office, Avinashi
Tiruppur District.

3.The Revenue Inspector
Avinashi (West)
Taluk Office, Avinashi
Tiruppur District.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the second respondent in the notice dated 17.05.2022 under Section 6 of the Tamil Nadu Land Encroachment Act. 1905 and quash the same and direct the respondents to restrain from evicting the petitioner forcefully from the land in question in Survey No.552, Vettupallaiyam.

For Petitioner : Mr.R.Sreerangan

For Respondents : Mr.J.Ravindran
AAG (Coordination)
Assisted by
Mr.A.Selvendran
Special Government Pleader
for respondents 1 to 3

ORDER

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

The writ petition has been filed challenging the notice dated 17.05.2022 under Section 6 of the Tamil Nadu Land



Encroachment Act, 1905, primarily on the basis that adequate opportunity has not been granted to the petitioner to put forth the explanations.

2. Mr.A.Selvendran, learned Special Government Pleader takes notice for the respondents and would suggest that the explanation of the petitioner would be considered and orders passed within a stipulated time frame.

3. In the circumstances, we are of the view that the petitioner shall submit his explanation within a period of six weeks and an order shall be passed considering the explanation. Until such orders are passed, there shall be stay against eviction.

4. With the above direction, the Writ Petition stands disposed of. Consequently, connected miscellaneous petitions are also closed. No costs.

Sd/-
Assistant Registrar (CS-VI)

// True Copy //

Sub Assistant Registrar

kk/drm

To

1.The District Collector
Tiruppur District Collectorate
Tiruppur - 641 604.

2.The Tahsildar
Taluk Office, Avinashi
Tiruppur District.

3.The Revenue Inspector
Avinashi (West)
Taluk Office, Avinashi
Tiruppur District.

+1cc to Mr.R.Sreerangan, Advocate, Sr.No.31958

+1cc to the Government Pleader, Sr.No.32083

W.P.No.13612 of 2022 and
W.M.P.Nos.12837 & 12838 of 2022

SJ(CO)
RVM(28/06/2022)