



WEB COPY



W.P.No.17797 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2022

CORAM :

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

AND

THE HON'BLE MRS.JUSTICE N.MALA

W.P.No.17797 of 2022

K.B.Ravikumar

.. Petitioner

Vs

1.The Tahsildhar,
Thiruvallur Taluk Office,
Thiruvallur Town and Taluk,
Thiruvallur District-602 001.

2.The Revenue Inspector,
Revenue Department,
Villiyur Sub Taluk,
Thiruvallur Taluk & District,
Thiruvallur-602 001.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for a writ of certiorari to call for the records on the file of the second respondent in Proceedings Na.Ka.No.1782/Aa2 dated 8.4.2022 and to quash the same as illegal, incompetent and without jurisdiction.



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For the Petitioner : Mr.V.Lakshminarayanan
For the Respondents : Mr.J.Ravindran
Addl. Advocate General
assisted by
Mr.A.Selvendran
Spl. Government Pleader
for respondent Nos.1 and 2

ORDER

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

The writ petition has been filed to challenge the notice issued by the Revenue Inspector under Section 7 of the Tamil Nadu Land Encroachment Act, 1905.

2. The challenge is made precisely on the ground that the Revenue Inspector has no jurisdiction to issue the notice under Section 7 of the Act of 1905 in respect of the land classified as "Grama Natham". To support the argument, reliance has been placed on the judgment dated 11.10.2018 passed by a Division Bench of this court in W.P.Nos.26234 and 26237 of 2018 [*T.S.Ravi and another v. The District Collector and others*].



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3. In all fairness, learned Additional Advocate General conceded that the Revenue Inspector has no authority to issue the notice under Section 7 of the Act in respect of the land classified as "Grama Natham", in view of the decision of the Division Bench of this court cited supra.

4. In view of the above, writ petition is allowed and the notice issued by the Revenue Inspector is set aside. However, it would not preclude the competent officer from taking action in the matter, in accordance with law. There will be no order as to costs. Consequently, C.M.P.Nos.17092 and 17090 of 2022 are closed.

(M.N.B., C.J.) (N.M., J.)
14.07.2022

Index : Yes/No
sasi



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To:

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- 1.The Tahsildhar,
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Thiruvallur District-602 001.
- 2.The Revenue Inspector,
Revenue Department,
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Thiruvallur-602 001.



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THE HON'BLE CHIEF JUSTICE
AND
N.MALA,J.

(sasi)

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