



WEB COPY



W.P.No.30465 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.30465 of 2022

Chinnaraj
S/o Ponraj

.. Petitioner

v.

1. The District Collector
Dharmapuri District
Dharmapuri
2. The District Revenue Officer
Dharmapuri District
Dharmapuri
3. The Revenue Divisional Officer
Pennagaram Division
Dharmapuri
4. The Tahsildar
Pennagaram Taluk
Dharmapuri District



W.P.No.30465 of 2022

5. The Revenue Inspector

Sunjalnatham

Pennagaram Taluk

Dharmapuri District

.. Respondents

Petition under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned Form-III notice dated 19.09.2022 in Ref:nil issued by the 5th respondent and quash the same and consequently direct the respondents to consider the petitioner's representation dated 29.09.2022.

For Petitioner :: Mr.M.Selvam

For Respondents :: Mr.P.Muthukumar
State Government Pleader
for R1 to R5

ORDER

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

This writ petition has been filed challenging the impugned notice dated 19.09.2022 issued by the Revenue Inspector, Sunjalnatham under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 calling upon the petitioner to appear for an enquiry either in person or through written representation on or before 05.10.2022 to show cause as to why he should not be evicted from the Survey No.714/5 classified as Anadeenam pathway



W.P.No.30465 of 2022

WEB COPY
Act.

to an extent of 0.08.0 ares, for proceeding further under Section 6 of the said

2. Heard both sides.

3. This Court is not inclined to entertain the writ petition, for the simple reason that the impugned notice has specifically mentioned what is the extent of land encroached by the petitioner in the Anadeenam pathway and the said fact has also been clearly admitted by the petitioner in paragraph-2 of the affidavit filed in support of the writ petition. Therefore, when the petitioner is admittedly an encroacher, finding no infirmity in the impugned order, the writ petition stands dismissed. Consequently, W.M.P.Nos.29894 & 29896 of 2022 are also dismissed. No costs.

Speaking/Non speaking order

(T.R.,A.C.J.)

(D.K.K.,J.)

Index : yes/no

17.11.2022

SS



W.P.No.30465 of 2022

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WEB COPY



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THE HON'BLE ACTING CHIEF JUSTICE
AND
D.KRISHNAKUMAR,J.

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