



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.01.2022

CORAM:

**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND**

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P (MD)No.1744 of 2022

and W.M.P. (MD) Nos.1544 and 1545 of 2022

M.Kondappan

... Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Thasildhar,
Kallikudi Taluk,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, calling for the records of the 2nd respondent dated 10.01.2022, in respect of the property compromised in S.No.342/59 (Old S.No.246/2), classified as "Natham Poromboke" situated at K.Vellakulam II Bit Village, Kallikudi Taluk, Madurai District and quash the same, as the same is arbitrary, ultravires, in excess of jurisdiction as conferred under the provisions of Tamil Nadu Land Encroachment Act, 1905.

For Petitioner : Mr.R.G.Shankar Ganesh
For Respondents : Mr.S.R.A.Ramachandran
Additional Government Pleader

O R D E R

(Order of the Court was made by **PUSHPA SATHYANARAYANA, J.**)

The Writ Petition has been filed challenging the show cause notice issued under the Tamil Nadu Land Encroachment Act, 1905, calling upon the petitioner herein to show cause as to why he may not be evicted by removing the encroachments made by him. The petitioner was also directed to submit the reasons or objections on or before 27.01.2022. Instead of filing his objections before the authorities, the petitioner has chosen to file this Writ Petition, which cannot be entertained.



2.Heard Mr.R.G.Shankar Ganesh, learned counsel for the petitioner and Mr.S.R.A.Ramachandran,learned Additional Government Pleader, who accepts notice on behalf of the respondents.

3.The learned counsel for the petitioner only seeks a week's time to submit his objections before the authorities. Accordingly, time is extended by a week from the date of receipt of a copy of this order. Within such time, the petitioner will submit his objections, after which, an enquiry may be conducted and appropriate orders may be passed.

4.The Writ Petition stands disposed of with the above directions. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sj

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The District Collector,
Madurai District.

2.The Thasildhar,
Kallikudi Taluk,
Madurai District.

+1 CC to M/s.SPL.GP (SR-3343[F] dated 01/02/2022)

W.P (MD) No.1744 of 2022

28.01.2022

NSN (CO)

GC (03.02.2022) 2P 4C