



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No. 5834 of 2022

M.Rajendran

.. Petitioner

Vs

1.The District Collector,
Trichy.

2.The District Revenue Officer,
Trichy.

3.The Tahsildar,
Srirangam,
Trichy District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari thereby call for the records of the impugned order passed by the third respondent in Na.Ka.A3/0352/2022 dated 21.03.2022 and quash the same as arbitrary and illegal.

For Petitioner

: Mr.M.Saravanakumar

for Mr.P.Ganapathi Subramanian

For Respondents

: Mr.M.Sidharthan

Additional Government Pleader

ORDER

[Made by R.VIJAYAKUMAR, J.]

The present writ petition has been filed challenging an order passed under Section 6 of the Tamil Nadu Land Encroachment Act, 1905. Admittedly, the petitioner was issued show-cause notice under Section 7 of the Tamil Nadu Land Encroachment Act on 28.11.2020 and the petitioner is also said to have submitted an explanation to the said notice. After conducting an inquiry, the impugned order has been passed on 21.03.2022. The said order is under challenge.

2. Admittedly, a statutory alternative remedy, namely, a statutory appeal under Section 10 of the Land Encroachment Act is available. When this was pointed out, learned counsel for the petitioner seeks some interim protection till filing of statutory appeal before the District Collector.



3. We are not inclined to entertain the present writ petition in view of the statutory alternative remedy available to the writ petitioner. The writ petition is dismissed. No costs. However, the present status quo shall not be disturbed till 18.04.2022. This order is granted enabling him to file an appeal before the District Collector.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ssm/28

To

- 1.The District Collector,
Trichy.
- 2.The District Revenue Officer,
Trichy.
- 3.The Tahsildar, Srirangam,
Trichy District.

+1 CC to M/s.SPL.GP (SR-16730[F] dated 05/04/2022)

W.P (MD) No. 5834 of 2022
04.04.2022

ARK(CO)

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