



W.P.(MD) No.24588 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.24588 of 2022

and

W.M.P.(MD)Nos.18662 & 18665 of 2022

1.Rajmohan

2.Sumathi

... Petitioners

-Vs-

1.The District Collector,

Pudukottai District,

Pudukottai.

2.The District Revenue Officer,

Pudukottai District,

Pudukottai.

3.The Revenue Divisional Officer,

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WEB COPY Iluppur, Pudukottai District.

4.The Tahsildar,
Ponnamaravathy,
Ponnamaravathy Taluk,
Pudukottai District.

5.The Revenue Inspector,
Ponnamaravathy,
Ponnamaravathy Taluk,
Pudukottai District.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned notice in Na.Ka.No.3590/2022/Aa2, dated 01.09.2022 issued by the 4th respondent and quash the same as illegal.

For Petitioner : Mr.T.Veerakumar

For Respondents : Mr.G.V.Vairam Santhosh
Addl. Government Pleader



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ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

Challenging the notice issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, (hereinafter referred to as 'the Act'), the petitioners have filed this Writ Petition.

2. Today, when the matter was taken up for hearing, the learned counsel for the petitioners submitted that it is suffice, if the petitioner is permitted to file appeal under Section 10 of the Act, against the impugned eviction notice issued under Section 6 of the Act and a direction is issued to the authority concerned to dispose of the appeal, within a time frame.

3. In view of the above, this Writ Petition is disposed of with a direction to the petitioners to file an appeal before the authority concerned within a period of two (2) weeks from the date of receipt of a copy of this order. On receipt of such appeal, the authority concerned is directed to consider the same and pass appropriate orders on merits and in accordance with law, after

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affording sufficient opportunity to all the parties concerned, within a period of eight (8) weeks thereafter. Till such time, the respondents are directed to maintain status-quo as on date. No costs. Consequently, connected miscellaneous petitions are closed.

[R.M.D., J.] & [J.S.N.P., J.]

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Index : Yes / No

Internet : Yes / No

vsm



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