



W.P.(MD) No.26950 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.26950 of 2022

and

W.M.P.(MD)No.21115 of 2022

MIT College of Agriculture & Technology,
Vellapatti Post, Mangalam Village,
Musiri Taluk, Tiruchirappalli,
Represented by its Chairman,
R.Elangovan

... Petitioner

-Vs-

- 1.The State Represented by,
the Secretary to Government,
Revenue Department,
Chennai-600 009.
- 2.The District Collector,
Trichirappalli District.
- 3.The Tahsildar,
Musiri Taluk Office,
Musiri.

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4.The Revenue Inspector,
Musiri.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to forbear the respondents from interfering with the petitioner's peaceful possession, enjoyment and / or usage of the land in S.No.72, Mangalam Village, as passage as per the No Objection Certificate issued by Tahsildar, Musiri dated 07.06.2019 and thereby forbearing the respondents from demolishing the Compound Wall of the Petitioner Institution except in accordance with law.

For Petitioner : Mr.M.Rajarajan

For Respondents : Mr.K.Balasubramani,

Special Government Pleader

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition is filed to forbear the respondents from interfering with the petitioner's peaceful possession, enjoyment and / or usage of the land in S.No.72, Mangalam Village, as passage as per the No Objection Certificate

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WEB COPY issued by the 3rd respondent, dated 07.06.2019 and thereby forbear the respondents from demolishing the compound wall of the petitioner's institution except in accordance with law.

2.Today, when the matter was taken up for hearing, the learned Additional Government Pleader for the respondents submitted that the 3rd respondent has issued an eviction notice dated 05.11.2022 under Section 6 of the Land Encroachments Act, 1905, directing the petitioner to remove the encroachment and the same has also been duly served to the petitioner. Without challenging the same, the petitioner has straight away filed this Writ Petition with the aforesaid prayer, though he has enclosed the said eviction notice in the typed set of papers.

3.In view of the above, we are not inclined to entertain this Writ Petition. Therefore, this Writ Petition stands dismissed. However, if the petitioner is being aggrieved by the said eviction notice dated 05.11.2022, liberty is granted to the petitioner to approach the appropriate authority in the manner



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known to law. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] & [R.V., J.]

09.12.2022

($\frac{1}{2}$)

Index : Yes / No

Internet : Yes / No

Myr

To

1.The Secretary to Government,
Revenue Department,
Chennai-600 009.

2.The District Collector,
Trichirappalli District.

3.The Tahsildar,
Musiri Taluk Office,
Musiri.

4.The Revenue Inspector,
Musiri.

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AND

R.VIJAYAKUMAR, J.

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