



WEB COPY

W.P.NO.14669 OF 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.05.2023

CORAM :

**THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA
AND
THE HON'BLE MR. JUSTICE C. SARAVANAN**

**WRIT PETITION NO.14669 OF 2023
AND
WMP.NO.14156 OF 2023**

C.Chinnasamy

.. Petitioner

Versus

The Revenue Inspector
Konganapuram,
Edappadi Taluk,
Salem.

.. Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records pertaining to the notice issued under Section 7 of the Tamil Nadu Encroachment Act, 1905, dated 24.04.2023 and quash the same as is against the Constitution of India, illegal, unjust and unwarranted.

For Petitioner : Mr.J.Nagarajan

For Respondent : Mr.J.Ravindran
Additional Advocate General
assisted by Mr.A.Selvendran
Additional Government Pleader



ORDER

A.D.JAGADISH CHANDIRA, J.
and
C.SARAVANAN, J.

Challenging the Notice dated 24.04.2023 issued under Section 7 of the Tamil Nadu Encroachment Act, 1905, the petitioner has filed the present Writ Petition.

2. Heard the submissions made by the learned counsel for the petitioner and the learned Additional Advocate General assisted by the learned Additional Government Pleader.

3. We are of the view that the present Writ Petition is premature one. What is challenged in this Writ Petition is only a Notice dated 24.04.2023 issued under Section 7 of the Tamil Nadu Encroachment Act, 1905, for which, the petitioner has to reply for the same on or before 08.05.2023.

4. Considering the above, liberty is granted to the petitioner to send a reply to the Notice dated 24.04.2023 within a period of 15 days from today. On such reply being filed, the authority concerned shall pass orders, ~~on merits~~ and in accordance with law, within a period of six weeks thereafter.



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5. Till such time, both the parties are directed to maintain *status quo* prevailing as on date.

6. With the above observation and direction, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

[A.D.J.C., J.] [C.S.N., J.]

04.05.2023

Index : Yes / No
Internet : Yes / No
AV/TK

To

The Revenue Inspector
Konganapuram,
Edappadi Taluk,
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