



WEB COPY



WP No.21328 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

WP No.21328 of 2023
and WMP No.20727 of 2023

N.Perumal

.. Petitioner

-VS-

1. The District Collector,
Villupuram,
Villupuram District.
2. The Block Development Officer,
(Village Panchayat),
Melmaliyanoor Panchayat Union,
Melmaliyanoor,
Villupuram District.
3. The Thasildar,
Melmaliyanoor Taluk,
Villupuram District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records of the 2nd respondent relating to the notice dated 03.07.2023 U/s 7 of the Act 3 of 1905 in respect of S.No.160/1 in Devanoor Village, Melmalaiyanoor Taluk, Villupuram District, to quash the same as



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arbitrary, unreasonable, being violative of rules and principles of natural justice and to issue consequential directions to desist from taking further action pursuant to the above notice dated 03.07.2023.

For the Petitioner : Mr.J.Muthukumaran

For the Respondents : Mr.P.Muthukumar,
State Government Pleader

* * * * *

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

We have heard Mr.J.Muthukumaran, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader, for the respondents.

2. Notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 is challenged. The petitioner, in fact, has to file reply to the notice under Section 7 of the Act. Thereafter, if the authority is not convinced with the reply, then the order under Section 6 of the said Act will be passed. The said order also can be assailed by the petitioner by filing appeal under Section 10 of the said Act.



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3. In view of the aforesaid remedies available, no further orders are necessary. The writ petition is disposed of. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(P.D.A., J.)

18.07.2023

Index : yes/no
Neutral Citation : Yes/No
sra

To:

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(Village Panchayat),
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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESSAVALU, J.

(sra)

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