



W.P.No.28432 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.09.2023

CORAM :

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

AND

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

W.P.No.28432 of 2023

Kaliyappan

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Petitioner

Vs.

1. The District Collector
Dharmapuri District, Dharmapuri.
2. The Revenue Divisional Officer
Harur, Dharmapuri District.
3. The Tahsildar
Harur, Dharmapuri District.
4. The Block Development Officer
Harur, Dharmapuri District.
5. Alaguraman

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Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents to remove the encroachment on the land belonging to the Government is concerned in Survey No.11/2 to the extent of 2.70 acres in Vengiyampatti Village, Harur Taluk, Dharmapuri District, action for eviction if any can be taken only by the appropriate authority and by following the procedure contemplated under the Tamil Nadu Land Encroachment Act, 1905.



W.P.No.28432 of 2023

WEB COPY

For the Petitioner : Mr.M.Sasikumar

For the Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by Mrs.R.Anitha
Special Government Pleader
for R1 to R4

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.M.Sasikumar, learned counsel for the petitioner and
Mr.P.Muthukumar, learned State Government Pleader assisted by
Mrs.R.Anitha, learned Special Government Pleader for R1 to R4.

2. Learned counsel for the petitioner submits that a notice is issued for eviction. The petitioner is not an encroacher and further submitted that no show-cause notice was issued.

3. The impugned notice shall be construed as a show-cause notice. The petitioner shall file a reply within a period of seven days from today. The respondent Authority shall consider the reply filed by the petitioner and thereafter take further steps in accordance with law.



W.P.No.28432 of 2023

WEB COPY

If the reply is not filed within seven days, the respondent authorities are entitled to proceed further.

4. Accordingly, the writ petition stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

27.09.2023

Index : Yes/No
Neutral Citation : Yes/No

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To

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(drm)

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