



W.P.No.34030 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.34030 of 2023

V.Subramanian

.. Petitioner

Vs.

1. The Revenue Inspector
Nellikuppam Post, Thirupour Taluk
Chengalpattu District.

2. The Tahsildar
Nellikuppam Post, Thirupour Taluk
Chengalpattu District.

3. The Assistant Engineer
Execution & Maintenance
Tamil Nadu Electricity Generation
& Distribution Corporation Ltd.
Tiruporur – 603 110.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus, calling for the records in the proceedings in the notice of the first respondent dated 15.06.2022 under Section 7 of the Land Encroachment Act, 1905 and second respondent notice dated 08.09.2022 under Section 6 of the Land Encroachment Act, 1905 and third respondent notice dated 05.07.2023 by L.No.A.E/O&M/IPA/TIRUP/D.T/A.No.080/2023 and quash the same and to direct the respondents to stop all further proceedings done based on the notices dated 15.06.2022, 08.09.2022 and 05.07.2023.



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For the Petitioner : Mr.P.Saranath
For the Respondents : Mr.P.Muthukumar
State Government Pleader
for R1 to R3

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.P.Saranath, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader for respondents 1 to 3.

2. The petitioner is challenging the order passed under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 dated 08.09.2022.

3. Learned State Government Pleader submits that the petitioner has the remedy of appeal.

4. In the light of that, we dispose of this writ petition with liberty to the petitioner to avail the remedy of appeal. If the appeal is filed within a period of 10 days from today, then the question of limitation will not be raised. The Appellate Authority may endeavour to decide the appeal expeditiously.

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5. In the light of that, the writ petition stands disposed of. There will be no order as to costs. Consequently, W.M.P.No.33901 of 2023 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

08.12.2023

Index : Yes/No

Neutral Citation : Yes/No

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To

1. The Revenue Inspector
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Chengalpattu District.
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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(drm)

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