



W.P.Nos.115, 117, 121 and 122 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.Nos.115, 117, 121 and 122 of 2023

Prema	.. Petitioner in W.P.No.115/2023
R.Rajeswari	.. Petitioner in W.P.No.117/2023
G.Amudha	.. Petitioner in W.P.No.121/2023
V.Latha	.. Petitioner in W.P.No.122/202

Vs

1.The Principal Secretary,
Revenue and Disaster Management Department,
Government of Tamilnadu,
Fort St. George, Chennai-600 009.

2.The Commissioner,
Commissionerate of Land Administration,
Land Administration Department,
2nd Floor, Ehilagam, Chepauk,
Chennai-600 005.



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3.The District Collector,
Tiruvannamalai District,
Tiruvannamalai-606 404.

4.The Tahsildar,
Kalsapakkam Taluk,
Tiruvannamalai District.

5.The Block Development Officer,
Kalasapakkam,
Tiruvannamalai District.

6.The President,
Kadaladi Panchayat,
Kalasapakkam Taluk,
Tiruvannamalai District.

.. Respondents in
all WPs.

Prayer: Petitions filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the records pertaining to the order of eviction in Na.Ka.Va.A2/212/2022 dated 17.10.2022 issued by the fifth respondent and quash the same and consequently direct the respondents to consider the representation of the petitioner dated 28.11.2022 praying to issue patta for their houses.

For the Petitioners : Mr.R.Thaiyai Arasu

For the Respondents : Mr.J.Ravindran
Additional Advocate General
assisted by
Mr.A.Selvendran
Spl. Government Pleader
for respondent Nos.1 to 4
and 6



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: Mr.P.Muthukumar
State Government Pleader
for respondent No.5

COMMON ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

Challenging the impugned notices issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, the petitioners have filed these writ petitions. The petitioners have also prayed for a direction on the respondents to issue patta for their houses by considering the representation dated 28.11.2022.

2. When the writ petitions are taken up for hearing, the learned Additional Advocate General appearing for respondents 1 to 4 and 6 raised an objection regarding maintainability of the writ petitions and submitted that if the petitioners are aggrieved by the impugned notices, they ought to have filed an appeal under Section 10 of the Act before the District Collector, Tiruvannamalai.

3. At this stage, learned counsel for the petitioners sought permission of this Court to withdraw the writ petitions with liberty



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to approach the appellate authority/District Collector, Tiruvannamalai by way of appeal under Section 10 of the Act. He has also made an endorsement to that effect.

4. In view of the above, the writ petitions are dismissed as withdrawn with liberty as prayed for. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
05.01.2023

Index : Yes/No
Neutral Citation : Yes/No
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To:

WEB COPY

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