



W.P(MD)No.9159 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.9159 of 2023
and
W.M.P(MD)Nos.8278 & 8279 of 2023

D.Malarkodi

... Petitioner

Vs.

- 1.The Principal Secretary
Land Administration,
Commissioner of Land Reforms,
Land Administration Office,
2nd Floor, Ezhilalagam,
Chepakam,
Chennai 005.
- 2.The District Collector
Sivagangai District,
Sivagangai.
- 3.The District Revenue Officer
Sivagangai District,
Sivagangai.



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4.The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.

5.The Tahsildar
Kalayarkovil Taluk,
Sivagangai District.

6.The Revenue Inspector
Silukkupatti Sub Division,
Kalayarkovil Taluk,
Sivagangai District.

.. Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned notice under section 7 of The Tamil Nadu Land Encroachment Act, 1905 issued by the 6th respondent dated 16.02.2023 and quash the same as illegal and consequently direct the 1st respondent to dispose the revision petition dated 11.04.2023 filed under Section 15(8) of the revenue standing order within the period that may be stipulated by this Hon'ble Court and direct the official respondent not to disturb the possession of the petitioner pending disposal of the revision petition .



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For Petitioner : Mr.T.Palanisamy

For Respondents : Mr.J.Ashok

Additional Government Pleader

ORDER

The Writ Petition has been filed in the nature of a Certiorarified Mandamus seeking interference with a notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, issued by the sixth respondent to appear for an enquiry on 16.02.2023.

2. It is stated by the learned Special Government Pleader that the petitioner should appear before the party and explain their stand.

3. It is also stated in the affidavit filed in support of the writ petition, that earlier the petitioner had filed a Writ Petition in W.P(MD)No.11429 of 2023 before the Division Bench and by an order, dated 10.05.2023, the impugned order passed by the fifth respondent was put on hold. But in the instant case, the notice under Section 7 of the



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said Act, alone is questioned. This is a show cause notice, the petitioner can very well appear and put forth the case.

4. It is also seen that the Writ Petitioner has a habit of filing one Writ Petition before the Division Bench during the vacation and another Writ Petition before this Court. It is a clear case of forum shopping.

5. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

16.06.2023

Index :Yes/No
Internet :Yes/No
NCC : Yes / No
RM



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C.V.KARTHIKEYAN, J.

RM

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