



W.P.(MD) No.13767 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD) No.13767 of 2023
and
W.M.P.(MD) Nos.11585 & 11586 of 2023**

M.Raja

... Petitioner

-VS-

- 1.The District Collector
Dindigul District
Dindigul
- 2.The Tahsildar
Kodaikanal Taluk Office
Kodaikanal, Dindigul District
- 3.The Revenue Inspector
Kodaikanal Taluk
Kodaikanal, Dindigul District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records in pertaining to the impugned notice of the third respondent vide his proceedings in R.F.XVIII-C-3,



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dated 01.06.2023 and quash the same as illegal and consequently directing the Respondents not to evict the petitioner in his property in T.S.No.1, situated at Ward.D, Block No.20, Seenivasapuram, Kodaikanal Town, Kodaikanal Taluk, Dindigul District, without following any due process of law consequently direct the first respondent to consider the petitioner's appeal.

For Petitioner : Mr.K.Arunraj

For Respondents : Mr.S.P.Maharajan
Special Government Pleader

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

Mr.S.P.Maharajan, learned Special Government Pleader, takes notice for the respondents.

2. With the consent of both sides, this writ petition is taken up for final hearing at the admission stage itself.

3. Challenge in this writ petition is to the notice dated 01.06.2023, issued by the third respondent, under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (for brevity, “the Act”).



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4. The impugned notice is only a show cause notice. The petitioner can file his objection, which will be considered by the competent Authority and if an order, under Section 6 of the Act, is passed, it is open to him to challenge the same.

5. It is seen from the records that the petitioner has filed his objection on 05.06.2023.

6. It is for the competent Authority to consider the petitioner's objection and pass appropriate orders.

7. Accordingly, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[R.S.M., J.]

[L.V.G., J.]

13.06.2023

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

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