



W.P.(MD)No.16480 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 07.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.16480 of 2023

and

W.M.P.(MD)Nos.13774 & 13778 of 2023

Mohaideen Andavar Jumma Pallivasal
Rep. By its President,
Mr.Abubacker Siddique,
Valanadu Village,
Marungapuri,
Trichy District.

... Petitioner

Vs.

- 1.The District Collector,
Trichy District,
Trichy.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Srirangam, Vannankovil,
Trichy District.
- 3.The Tahsildar,
Marungapurai Taluk,
Kallupatti Post,
Trichy District.
- 4.The Joint Commissioner,



W.P.(MD)No.16480 of 2023

Hindu Religious and Charitable Endowment Department,
Thiruvanaikoil,
Trichy District.

5.The Inspector,
Hindu Religious and Charitable Endowment Department,
Office at Thuvarankurichi,
Marungapuri,
Trichy District.

6.The Panchayat President,
Valanadu Panchayat & Post,
Palakurichi Via,
Marungapuri Taluk,
Trichy District.

7.P.Muthuveerappan

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the entire records pertaining to the impugned notices issued by the 3rd Respondent dated 30.06.2023 in respect of Survey No.218/5 measuring 0.05.0 Arce, Survey No.218/5 measuring 0.01.0 Arce and Survey No.484/1 measuring 0.03.0 Arce situated in Valanadu village, Marungapuri Taluk, Trichy District and quash the same and consequently direct the respondents No.1 , 2 and 3 to survey and demarcate the lands by measuring whole extent of lands in respect of Survey Nos.218/5 and Survey No.484/1 by considering the petitioner's representation dated 27.06.2023.

For Petitioner :Mr.M.Pitchai Muthu

For Respondents :Mr.K.Balasubramani,
Special Government Pleader for R1 to R5



WEB COPY



W.P.(MD)No.16480 of 2023

ORDER

Heard the learned counsel on either side.

2. The petitioner challenges the order passed under Section 6 of the Tamil Nadu Land Encroachment Act. It is not in dispute that it is an appealable order. Remedy under Section 10 of the Act is available to the petitioner. The petitioner is given 30 days from the date of receipt of the order copy to prefer an appeal. The petitioner can also seek interim relief before the appellate authority.

3. In these circumstances, filling of the writ petition is misconceived. Granting liberty to the petitioner to avail the appeal remedy, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [B.P., J.]
07.07.2023

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

To

1. The District Collector,
Trichy District,



WEB COPY



W.P.(MD)No.16480 of 2023

G.R.SWAMINATHAN, J
and
B.PUGALENDHI, J.

rmi

- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Srirangam, Vannankovil,
Trichy District.
- 3.The Tahsildar,
Marungapurai Taluk,
Kallupatti Post,
Trichy District.
- 4.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Thiruvanaikoil,
Trichy District.
- 5.The Inspector,
Hindu Religious and Charitable Endowment Department,
Office at Thuvarankurichi,
Marungapuri,
Trichy District.

W.P(MD)No.16480 of 2023

07.07.2023