



W.P.(MD)No.6313 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 01.08.2023

CORAM

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

**W.P(MD)No.6313 of 2017
and
W.M.P(MD)No.4992 of 2017**

A.Sheik Dawood

... Petitioner

Vs.

1.The District Collector,
Collectorate Office,
Tirunelveli District.

2.The Sub Collector,
Office at Cheranmahadevi,
Cheranmahadevi,
Ambasamudram,
Tirunelveli District.

3.The Tahsildar,
Tahsildar Office,
Radhapuram Taluk,
Tirunelveli District.

... Respondents



W.P.(MD)No.6313 of 2017

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned eviction notice issued by the third respondent herein in his proceedings in Na.Ka.No.A8/12329/16 dated 27.03.17 under section 6 of Tamil Nadu Land Encroachment Act, 1905 and quash the same as illegal and further direct the respondents herein not to take any coercive steps regarding Survey No.1261/2/1 situate in North Valliyoor to an extent of 74.75 square meter, pending disposal of the second Appeal in S.A(MD)No.468 of 2005 on this file of this Court.

For Petitioner : Mr.D.Nallathambi
For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

The petitioner challenges the order passed under Section 6 of the Tamil Nadu Land Encroachment Act, 1905. This Court had entertained the writ petition in view of the pendency of S.A(MD)No.468 of 2005 before this Court. The said second appeal was filed by the petitioner herein. During the pendency of this writ petition, the second appeal suffered dismissal on 12.08.2020. In view of the same, nothing survives for further adjudication. The impugned order is sustained.



W.P.(MD)No.6313 of 2017

WEB COPY 2. This writ petition is dismissed accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
01.08.2023

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

To

1. The District Collector,
Collectorate Office,
Tirunelveli District.
2. The Sub Collector,
Office at Cheranmahadevi,
Cheranmahadevi,
Ambasamudram,
Tirunelveli District.
3. The Tahsildar,
Tahsildar Office,
Radhapuram Taluk,
Tirunelveli District.



WEB COPY



W.P.(MD)No.6313 of 2017

G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

MGA

W.P(MD)No.6313 of 2017

and

W.M.P(MD)No.4992 of 2017

01.08.2023