



W.P.(MD)No.17179 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MRS.JUSTICE R. KALAIMATHI

W.P.(MD)No.17179 of 2017

and

W.M.P.(MD)No.13749 & 17293 of 2017

C.Periamuthiah

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District, Virudhunagar.

2.The District Revenue Officer,
Virudhunagar District, Virudhunagar.

3.The Revenue Divisional Officer,
Aruppukkottai, Virudhunagar District.

4.The Tahsildar,
Virudhunagar Taluk, Virudhunagar District.

5.The Village Administrative Officer,
Pavali Village, Virudhunagar District.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the 4th respondent in his proceedings No.Nil, dated 24.08.2017 and quash the same as illegal, arbitrary,



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violation of principles of law and further direct the respondents herein to consider the petitioner's representation dated 10.07.2017 to issue a patta in respect of the property situated in Natham Survey No.77/4 (New Natham Survey No.285/30), Pavali Village, Virudhunagar Taluk and District.

For Petitioner : Mr.G.Marimuthu

For Respondents : Mr.T.Amjadkhan, Government Advocate

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

The Writ on hand has been instituted challenging the order issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as 'the Act').

2.Section 7 notice was issued to the alleged encroachers and thereafter, by affording opportunity to the alleged encroachers, the impugned order under Section 6 of the Act was passed by the Tahsildar, Virudhunagar Taluk, Virudhunagar District. The application submitted by the encroachers for grant of patta was also rejected. This being the factum, the petitioner, if at all aggrieved, is at liberty to prefer an appeal under Section 10 of the Act before the competent authority.



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3. With these observations, this Writ Petition stands dismissed. No costs.

Consequently, connected miscellaneous petitions are closed.

(S.M.S., J.) & (R.K.M., J.)

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NCC : Yes / No

Index : Yes / No

Internet : Yes / No

Yuva

To

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AND

R. KALAIMATHI, J.

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