



W.P.(MD)No.27757 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)No.27757 of 2023

and

W.M.P.(MD)Nos.23866 & 23867 of 2023

K.Krishnaveni

... Petitioner

Vs.

- 1.The District Collector,
District Collector Campus,
Dindigul, Dindigul District.
- 2.The Revenue Divisional Officer,
Dindigul Revenue Division,
Dindigul District.
- 3.The Tahsildar,
Taluk Office, Dindigul East Taluk,
Dindigul District.
- 4.The Executive Officer / Panchayat President,
Periyakottai Village Panchayat Officer,
Dindigul District.
- 5.The Block Development Officer,
Union Office, Dindigul, Dindigul District.

...Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned order passed by the 3rd respondent in Na.Ka.No.1978/2020/Aa5, dated 20.10.2023 and quash the same.

For Petitioner : Mr.S.Sankar

For Respondents : Mr.S.Kameswaran, Government Advocate

ORDER

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

The order dated 20.10.2023, which seems to be an inter-departmental communication issued by the Tahsildar is sought to be quashed in the present Writ Petition.

2.Admittedly, the proceedings under the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as 'the Act') is yet to be issued. The petitioner has not received any notice under Section 7 of the Act. Therefore, this Writ Petition is not entertainable. The respondents are at liberty to issue notice under Section 7 of the Act and after receiving objections from the petitioner, an order under Section 6 of the Act is to be passed for the purpose of proceeding with the removal of encroachment. At the outset, the procedure as contemplated under the Act is to be followed scrupulously.



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3. With the above observations, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (V.L.N., J.)

23.11.2023

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

Yuva

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AND

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