



W.P.(MD)No.29752 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)No.29752 of 2023

and

W.M.P.(MD)Nos.25680 of 2023

A.Zahir Hussaine

... Petitioner

Vs.

1.The Tahsildar,
Paramakudi Taluk, Ramanathapuram.

2.The Deputy Head Quarter Tahsildar,
Paramakudi, Ramanathapuram.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned order of the respondents in Na.Ka.A3/8792/2023, dated 05.12.2023 and quash the same.

For Petitioner : Mr.H.Arumugam

For Respondents : Mr.T.Amjadkhan, Government Advocate



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ORDER

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

The notice issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as 'the Act') dated 05.12.2023 is under challenge in this Writ Petition.

2.The main contention of the learned counsel appearing for the petitioner is that the people residing in Ward No.27, Bharathi Nagar West, Paramakudi, submitted a complaint to the Deputy Superintendent of Police, Paramakudi to initiate action against the illegalities happening in that locality. Instead of taking action against those offenders, the Tahsildar issued the notice under Section 7 of the Act.

3.Regarding the impugned notice issued under Section 7 of the Act, the petitioner has to submit his objections, if any to the Tahsildar concerned and by considering the same, an order under Section 6 of the Act is to be passed and thereafter, encroachments, if any identified, are to be removed. As far as the complaint given by the people of Ward No.27 to the Deputy Superintendent of



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Police, Paramakudi is concerned, it is for the Police authorities to initiate appropriate actions, if any illegalities are happening in that locality in order to protect the rights of the people of that locality.

4.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.)

14.12.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

Yuva

To

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Paramakudi Taluk, Ramanathapuram.

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