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W.P.(MD)NO.30474 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.30474 of 2023 AND
W.M.P.(MD)Nos.26225 & 26227 of 2023

A.Panneerselvam

... Petitioner

Vs.

1. The District Collector,
Collectorate Complex, Tuticorin District.

2. The Tahsildar,
Ottapidaram Tahsildar Office,
Ottapidaram, Tuticorin District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned notice issued by the 2nd respondent vide Na.Ka.No.A3/863/2023 dated 06.12.2023 and quash the same as illegal and consequently direct the respondents to issue patta to the petitioner's house situated at Survey No.143/3 in South Sinthalakottai Village, Kurukkusalai Panchayat,



Ottapidaram Taluk, Thoothukudi District by considering his representation dated 29.05.2023.

For Petitioner : Mr.K.S.Duraipandian

For Respondents : Mr.K.Balasubramani,
Special Government Pleader.

* * *

ORDER

Heard both sides.

2, The petitioner was issued the impugned notice under Section 6 of the Tamil Nadu Land Encroachment Act. He has filed an appeal under Section 10 of the Act before the first respondent. The apprehension of the petitioner is that the appeal may be dismissed as infructuous by enforcing the order in the meanwhile.

3. We direct the respondents to keep the order under Section 6 of the Act in abeyance and hold till the disposal of the appeal by the first respondent. The first respondent is directed to dispose of the statutory appeal filed by the



petitioner on merits and in accordance with law within a period of four months from the date of receipt of a copy of this order. This writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)

21st December 2023

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

PMU

To:

1. The District Collector,
Collectorate Complex,
Tuticorin District.
2. The Tahsildar,
Ottapidaram Tahsildar Office,
Ottapidaram,
Tuticorin District.



WEB COPY



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