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W.P.(MD)NO.30588 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.30588 of 2023 AND
W.M.P.(MD)No.26298 of 2023

P.Sundaravel

... Petitioner

Vs.

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Tahsildar,
Aruppukkottai Taluk,
Aruppukkottai,
Virudhunagar District.
3. The Zonal Deputy Tahsildar,
Aruppukkottai Taluk,
Aruppukkottai,
Virudhunagar District.
4. The Revenue Inspector,
Aaladipatti,
Aruppukkottai Taluk,
Aruppukkottai,
Virudhunagar District.
5. The Village Administrative Officer,
Aaladipatti Village,
Aruppukkottai Taluk,
Virudhungar District.



6. The Taluk Surveyor,
Aruppukkottai Taluk,
Aruppukkottai,
Virudhunagar District.

7. The Taluk Head Surveyor,
Aruppukkottai Taluk,
Aruppukkottai,
Virudhunagar District.

8. M.Sarathkumar

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pursuant to the impugned encroachment removal notice issued by the 2nd respondent dated 03.11.2023 and quash the same as devoid of merits.

For Petitioner : Mr.s.Selvakumar

For R-1to R-7 : Mr.K.Balasubramani,
Special Government Pleader.

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner challenges the order passed by the Tahsildar, Aruppukkottai under Section 6 of the Tamil Nadu Land Encroachment Act. It is an appealable order. The



petitioner undertakes to file an appeal before the District Collector, Virudhunagar within a period of three weeks from the date of receipt of a copy of this order.

3. The first respondent is directed to dispose of the said appeal within a period of three months thereafter. If the petitioner files an appeal within a period of three weeks from the date of receipt of a copy of this order, the order impugned in this writ petition will be put on hold and kept in abeyance till the disposal of the appeal. We make it clear that we have not gone into the merits of the matter. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

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

21st December 2023

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

PMU



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