



W.P.No.8107 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.8107 of 2024

V.Balasubramanian

.. Petitioner

Vs.

1. The District Collector
Villupuram.

2. The Sub Collector
Tindivanam.

3. The Block Development Officer
(Village Panchayat)
Ollakur Panchayat Union, Tindivanam.

4. The Superintendent of Police
Villupuram.

5. The Revenue Tahsildar
Taluk Office, Tindivanam
Villupuram District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari, calling for the records relating to the impugned notices of the third respondent under Section 7 of the Tamil Nadu Act 3 of 1905 dated 01.12.2023 and notice under Section 6 of the Tamil Nadu Act 3 of 1905 dated 15.12.2023 and quash the same.



W.P.No.8107 of 2024

WEB COPY

For the Petitioner : Mr.Karthik Lakshmanan

For the Respondents : Mr.A.Edwin Prabakar
State Government Pleader
for R1, R2 & R5

Mr.R.Siddharth
Government Advocate
for R3

Mr.S.Udhayakumar
Government Advocate
for R4

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.Karthik Lakshmanan, learned counsel for the petitioner,
Mr.A.Edwin Prabakar, learned State Government Pleader for
respondents 1, 2 and 5, Mr.R.Siddharth, learned Government Advocate
for respondent 3 and Mr.S.Udhayakumar, learned Government
Advocate for respondent 4.

2. The petitioner is challenging the order passed under Section 6
of the Tamil Nadu Land Encroachment Act, 1905. According to the
learned counsel for the petitioner, the petitioner is the owner of the
land in S.No.66/5. Patta is issued in favour of the petitioner, still



W.P.No.8107 of 2024

action, pursuant to the order passed under Section 6 of the Act of 1905, is undertaken.

3. Learned State Government Pleader submits that the petitioner has the remedy of appeal under Section 10 of the Act of 1905 against the order passed under Section 6 of the Act of 1905.

4. In the light of that, the writ petition stands disposed of with liberty to the petitioner to avail the alternate remedy. In that event all contentions of the respective parties are kept open. There shall be no order as to costs. Consequently, W.M.P.Nos.9055 and 9056 of 2024 are closed.

(S.V.G., CJ.)

(D.B.C., J.)

28.03.2024

Index : Yes/No
Neutral Citation : Yes/No

drm



W.P.No.8107 of 2024

WEB COPY

To

1. The District Collector
Villupuram.
2. The Sub Collector
Tindivanam.
3. The Block Development Officer
(Village Panchayat)
Ollakur Panchayat Union, Tindivanam.
4. The Superintendent of Police
Villupuram.
5. The Revenue Tahsildar
Taluk Office, Tindivanam
Villupuram District.



WEB COPY



W.P.No.8107 of 2024

THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(drm)

W.P.No.8107 of 2024

28.03.2024