



WEB COPY



W.P.No.14074 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.05.2024

CORAM

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

and

THE HONOURABLE MR.JUSTICE **P.B.BALAJI**

W.P.No.14074 of 2024
and W.M.P. No.15258 of 2024

Ali Kutty

.. Petitioner

Vs

- 1.The District Collector,
Collectorate,
Udhagamandalam,
The Nilgiris.
- 2.The District Revenue Officer,
Office of the DRO,
Udhagamandalam,
The Nilgiris.
- 3.The Thasildar,
Taluk Office, Pandalur,
The Nilgiris.
- 4.The Revenue Inspector,
Taluk Office, Pandalur Taluk,
The Nilgiris.

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5. The Municipal Commissioner,
Nelliyalam Municipality,
Pandalur Taluk,
The Nilgiris.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus calling for records of the fourth respondent relating to the impugned notice dated 25.03.2024 and the consequential impugned notice issued by the third respondent dated 09.05.2024 bearing No. Na.Ka.A2.3503/2018, quash the same and consequently direct the respondents not to interfere in the peaceful possession of the petitioner's property.

For Petitioner	:	Ms.Thanga Vadhana Balakrishnan
For Respondents	:	Mr.U.Baranidharan Additional Government Pleader for R1 to R4

ORDER

[Order of the Court was made by **G.R.SWAMINATHAN, J.,**]

Heard both sides.

2. The petitioner challenges the order under Section 6 of the Tamil Nadu Land Encroachment Act, 1905.

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3. As rightly pointed out by learned Additional Government Pleader appearing for respondents 1 to 4, the order is appealable under Section 10 of the Tamil Nadu Land Encroachment Act, 1905. The petitioner is given three weeks from the date of receipt of a copy of this order to avail the said appeal remedy. If the petitioner files such an appeal within the aforesaid period, the impugned order shall not be given effect to for a period of three months from today. It is for the petitioner to obtain interim order from the appellate authority. The petitioner can file an appeal by enclosing the photo copies of the impugned order, since the original order has been filed before this Court.

4. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S.,J.) (P.B.B.,J.)
23.05.2024

Index : Yes/No
Neutral Citation : Yes/No

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**G.R.SWAMINATHAN, J.,
and
P.B.BALAJI, J.,**

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