



WEB COPY



W.P.No.28957 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.10.2024

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.28957 of 2024
and W.M.P.No.31611 of 2024

Seenuvasan

.. Petitioner

vs.

The Tahsildar,
Cheyyur Taluk,
Chengalpattu District.

.. Respondent

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the records relating to the order dated 21.8.2024 in Na.Ka.No.108/2024/A1 issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 by the respondent herein, quash the same and consequently direct the respondent herein not to take any sort of action under the TN Land Encroachment Act, 1905 with respect to the petitioner Grama Natham property comprised in Survey No.779/1 Old Survey No.693/1 situated at No.103, Koovathur Village, Cheyyur Taluk, Chengalpattu District admeasuring to an extent of 2900 square meters.



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For Petitioner : Mr.G.Mageshkumar

For Respondents : Mr.A.Edwin Prabakar

ORDER

(Order of the Court was made
by the Hon'ble Chief Justice)

Without going into the merits of the case, learned State Government Pleader, in fairness, as an Officer of the Court, after considering the impugned order, states that the grievance of petitioner that petitioner's submissions were not considered while passing the impugned order appears justified.

2. In view thereof, the impugned order dated 21.8.2024 is quashed and set aside. The matter is remanded to respondent for *de novo* consideration. Respondent shall pass a reasoned order dealing with all submissions made by petitioner within six weeks from today. We hasten to add that we have not made any observation on the merits of the case.

3. Before passing an order, respondent shall give a personal hearing to petitioner, notice whereof shall be communicated at least five working



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days in advance.

4. Writ petition, accordingly, stands disposed of. There shall be no order as to costs. Consequently, interim application also stands disposed of.

(K.R.SHRIRAM, CJ)

(SENTHILKUMAR RAMAMOORTHY,J.)

14.10.2024

Index : Yes/No
NC : Yes/No
bbr

To
The Tahsildar,
Cheyyur Taluk,
Chengalpattu District.



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THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY, J.

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