



W.P.No.35571 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.35571 of 2023

Ashok Kumar

.. Petitioner

Vs.

1. The District Collector
Krishnagiri District
Tamil Nadu – 635 115.

2. The Tahsildar
Denkanikottai
Krishnagiri – 635 107.

3. The Revenue Inspector
District Revenue Office
Denkanikottai, Krishnagiri
Tamil Nadu – 635 107.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari, calling for the records pertaining to the impugned eviction notice dated 07.12.2023 passed by the respondent No.3 and quash the same with respect to the petitioner's property having an extent of 27 ares in S.No.1510 in Santhanapalli Village, Denkanikottai, Krishnagiri.



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For the Petitioner : Mr.A.Ashwinkumar
For the Respondents : Mr.P.Muthukumar
State Government Pleader
for R1 to R3

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.A.Ashwinkumar, learned counsel for the petitioner and
Mr.P.Muthukumar, learned State Government Pleader for the
respondents.

2. In fact, the present writ petition ought not to have been filed. Notice is issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905. The same is a show cause notice, issued to the petitioner soliciting reply. Naturally, before proceeding under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, the authority would consider the reply filed by the petitioner.

3. Even after the order is passed under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, the petitioner has a remedy of appeal under Section 10 of the Tamil Nadu Land Encroachment Act, 1905 before the appellate authority.



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4. With these observations, the writ petition stands disposed of.

There will be no order as to costs. Consequently, W.M.P.No.35514 of 2023 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

02.01.2024

Index : Yes/No
Neutral Citation : Yes/No

drm

To

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

(drm)

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