



W.P.(MD) No.1582 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.1582 of 2024
and W.M.P.(MD)No.1579 of 2024

Marudhudurai

... Petitioner

Vs.

- 1.The District Collector, Dindigul District,
Dindigul.
- 2.The District Revenue Officer, Palani,
Dindigul District.
- 3.The Revenue Divisional Officer, Palani,
Dindigul District.
- 4.The Tahsildar, Palani,
Dindigul District.



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5.The Revenue Inspector, Korikadavu,
Palani, Dindigul District.

6.The Village Administrative Officer,
Korikadavu Village,
Palani,
Dindigul District.

7.The Firka Surveyor, Korikadavu Village,
Palani,
Dindigul District.

8.The Panchayat President, Korikadavu Panchayat,
Palani,
Dindigul District.

9.Thangaramu

10.S.Subramani

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the entire records relating to the impugned order dated 02.01.2024 passed by the 5th respondent in so far as directing the petitioner to remove the structure in Survey No.923/10 situated at Korikadavu Village, Palani Taluk, Dindigul District and set aside the same as illegal.

For Petitioner : Mr.A.Balaji

For Respondents : Mr.S.P.Maharajan,
Spl. Govt. Pleader for R1 to R7



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ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition has been filed for issuance of a Writ of Certiorari to call for the entire records relating to the impugned order dated 02.01.2024 passed by the 5th respondent in so far as directing the petitioner to remove the structure in Survey No.923/10 situated at Korikadavu Village, Palani Taluk, Dindigul District and set aside the same as illegal.

2. This Writ Petition is taken up for final disposal at the admission stage itself.

3. At the time of hearing, the learned Special Government Pleader appearing for the respondents 1 to 7 submits that following the notice issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, a notice has been issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 on 18.01.2024. Therefore, nothing survives for further adjudication in this Writ Petition.



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4. In view of the submissions made by the learned Special Government Pleader appearing for the respondents 1 to 7, this Writ Petition is dismissed as infructuous. However, if the petitioner is aggrieved against the notice under Section 6 of the Tamil Nadu Land Encroachment Act, the petitioner shall file an appeal before the District collector under Section 10 of the Tamil Nadu Land Encroachment Act, within a period of two weeks from the date of receipt of a copy of this order. Till such time, the respondents shall not take any coercive steps against the petitioner. There shall be no order as to costs. Consequently, connected miscellaneous petition is also closed.

[D.K.K., J.] [R.V., J.]
29.01.2024

vsm
NCC : Yes / No
Index : Yes / No



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