



W.P.(MD) No.3061 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2024

CORAM:

THE HONOURABLE **MR.JUSTICE D.KRISHNAKUMAR**

AND

THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD)No.3061 of 2024

and

W.M.P.(MD)No.3041 of 2024

Angamuthu

... Petitioner

-Vs-

1.The District Collector,
Virudhunagar, Virudhunagar District.

2.The Tahsildar,
Aruppukkottai Taluk Office,
Aruppukkottai, Virudhunagar District.

3.The Block Development Officer,
Aruppukkottai Union Office,
Aruppukkottai, Virudhunagar District.

4.The President,
Maravarperungudi Village Panchayat,
Aruppukkottai Taluk, Virudhunagar District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records of the 2nd respondent impugned notice



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dated 28.10.2023 issued to the petitioner and quash the same as illegal, mala fide, arbitrary and non application of mind.

For Petitioner : Mr.B.Muneeswaran

For R1 to R3 : Mr.S.P.Maharajan,

Special Government Pleader

ORDER

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

The order passed under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as 'the Act') is under challenge in the present Writ Petition.

2.Section 6 order under the Act is an appealable under Section 10 of the Act. Without exhausting the appeal remedy, the petitioner has filed this Writ Petition. Therefore, this Writ Petition is not entertainable under Article 226 of Constitution of India and the same is liable to be dismissed, accordingly, dismissed with liberty to the petitioner to prefer an appeal before the competent authority. No costs. Consequently, connected miscellaneous petition is closed.

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

13.02.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

Yuva

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To

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