



WEB COPY



W.P.(MD) No.6923 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2024

CORAM:

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

AND

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

W.P.(MD)No.6923 of 2024

and

W.M.P.(MD)Nos.6442 and 6445 of 2024

Muthurakku

... Petitioner

-Vs-

1.The District Collector,
Madurai District, Madurai.

2.The Tahsildar,
Thiruparangundram Taluk,
Thiruparangundram, Madurai District.

3.The President,
Nilayur Bit-I Village,
O/o. The Kuthiyargundu,
Thiruparangundram Taluk,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records on the file of the 2nd respondent in connection with the impugned eviction notice issued by him vide his proceedings in Na.Ka.No.4604/2023/C, dated 09.03.2024 and quash the same



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as illegal, arbitrary and consequently, to direct the respondents not to disturb the petitioner petty shop (Tea Shop & Electrical Shop) situated in Survey No.301, 0.00.60 sq.mt., Nilayur Bit-I Village, Thriuparangundram, Madurai District within the time limit that may be stipulated by this Court.

For Petitioner : Mr.T.Palanisamy
For R1 & R2 : Mr.T.Amjadkhan,
Government Advocate

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 appealable under Section 10 of the Act. Without exhausting the appeal remedy, the petitioner has filed this Writ Petition. Therefore, the petitioner is directed to prefer an appeal before the competent authority within a period of two weeks from the date of receipt of a copy of this order.



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3. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[D.K.K., J.] & [R.V., J.]
20.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Yuva

To

1. The District Collector,
Madurai District, Madurai.
2. The Tahsildar,
Thiruparangundram Taluk,
Thiruparangundram, Madurai District.



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R.VIJAYAKUMAR, J.

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