



W.P.(MD) No.7180 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.7180 of 2024

and

W.M.P(MD)No.6633 of 2024

Ramar

... Petitioner

Vs.

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Tahsildar,
Sankarankovil Taluk,
Tenkasi District.

.... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records relating to the impugned notice dated 01.02.2024 issued by the second respondent and quash the same as illegal.

For Petitioner :Mr.T.Veerakumar

For Respondents :Mr.T.Amjad Khan,
Government Advocate



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ORDER

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

The petitioner has challenged the notice issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 (in short 'the Act').

2. The learned Government Advocate appearing for the respondents, would submit that the petitioner is having appeal remedy before the District Collector under Section 10-A of the Act. However, without exhausting such appeal remedy, the petitioner has filed this writ petition and the same is not maintainable.

3. In view of above, we are not inclined to entertain this writ petition. Hence, the writ petition stands dismissed with liberty to the petitioner to file an appeal before the first respondent District Collector, within a period of two weeks from the date of receipt of a copy of this order. Till such time, the authorities shall not take any coercive step against the petitioner. No Costs. Consequently, connected Miscellaneous Petition is closed.

[D.K.K., J.]

[R.V., J.]

22.03.2024

Neutral Citation:Yes / No

Index :Yes / No

PM



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Note: Registry is directed to return the original impugned order to the petitioner after retaining a photostat copy of the same.

WEB COPY

To:

- 1.The District Collector,
Tenkasi District,
Tenkasi.
- 2.The Tahsildar,
Sankarankovil Taluk,
Tenkasi District.



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D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

PM

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