



WEB COPY

W.P.(MD)No.22159 of 2024



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD)No.22159 of 2024
and
W.M.P.(MD)Nos.18745 and 18746 of 2024**

S.Balan

... Petitioner

-VS-

1.The District Collector,
Collectorate,
Theni District.

2.The Tahsildar,
Andipatti Taluk,
Theni District.

3.The Block Development Officer,
K.Mayiladumparai,
Theni District.

4.The Revenue Inspector,
Mayiladumparai,
Theni District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Order in Na.Ka.No.1601/2019/Thi1 dated 04.03.2024 on the file of the respondent No.3 and consequential Impugned Notice dated 05.09.2024 on the file of the respondent No.4 and quash the same as illegal and consequently directing the respondents not to disturb the petitioner's dwelling house situated in Natham Survey No.1847/13 (old survey no.298/2 and 300) Mayiladumparai Village, Andipatti Taluk, Theni District.



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For Petitioner : Mr. I.Pinaygash

For Respondents : Mr.S.P.Maharajan,
Special Government Pleader

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2. Mr.S.P.Maharajan, learned Special Government Pleader takes notice for the respondents.

3. Challenge is to the notice issued under Section 7 of the Land Encroachment Act, 1905. Notice under Section 7 is only a showcause notice. It is well open to the petitioner to give a reply and await orders to be passed under Section 6.

4. Hence, we don't find any merit in this writ petition. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[R.S.M., J.]

[L.V.G., J.]

19.09.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

Sml

<https://www.hmc.tn.gov.in/judis>



W.P.(MD)No.22159 of 2019

To

- 1.The District Collector,
Collectorate,
Theni District.
- 2.The Tahsildar,
Andipatti Taluk,
Theni District.
- 3.The Block Development Officer,
K.Mayiladumparai,
Theni District.
- 4.The Revenue Inspector,
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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

Sml

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