



W.P(MD)No.24007 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2024

CORAM :

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

**W.P(MD)No.24007 of 2024
and
WMP(MD)Nos.20325, 20326 and 20327 of 2024**

Arunachalam

... Petitioner

vs.

1. The District Collector,
Tirunelveli District,
Tirunelveli.

2. The Revenue Divisional Officer
cum Monitoring Authority,
Cheranmahadevi Taluk,
Cheranmahadevi,
Tirunelveli District.

3. The Tahsildar,
Nanguneri Taluk,
Nanguneri,
Tirunelveli District.

4. The Revenue Inspector,
Nanguneri Taluk,
Nanguneri,
Tirunelveli District.

... Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, call for the impugned notice dated 23.09.2024 issued under section 7 of Tamilnadu Land Encroachment Act 1905, by the 4th respondent and quash the same as illegal and consequently forbear the respondents from interfering with the peaceful possession of the petitioner's residential house having patta No.1307 (S.No. 579/42) at Door No.23/D, East Street, Edaiyankulam village, Nanguneri Taluk, Tirunelveli District in future.

For Petitioner : Mr.S.Krishnan
For Respondents : Mr.S.P.Maharajan
Special Government Pleader

ORDER

(Order of the Court was made by **R.SUBRAMANIAN, J.**)

Notice under challenge is one issued under Section 7 of the Tamilnadu Land Encroachment Act 1905. The learned counsel wants to misread it and claim that it is not known as to whether it is issued under Section 7 or Section 6 of the Tamilnadu Land Encroachment Act 1905. The notice is in Tamil. A reading of it clearly shows that it requires the noticee / recipient to show cause as to why the encroachment should not be removed and the crops and buildings there should not be confiscated under Section 6 on or before 07.10.2024. Without giving reply, the petitioner has rushed to this Court.



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2. Hence, this Writ Petition is dismissed giving liberty to the petitioner to send a reply to the impugned notice before 15.10.2024. If any reply is received by the Tahsildar concerned before 18.10.2024, he will consider the same and pass orders accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

(R.S.M, J.) (L.V.G, J.)
04.10.2024

Index : No
Neutral Citation : No
smn2 / bala

To

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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

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ORDER MADE IN
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DATED : 04.10.2024