



WEB COPY

W.P.(MD)No.24930 of 2024



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.10.2024

CORAM:

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

**W.P.(MD)No.24930 of 2024
and
W.M.P.(MD)No.21216 of 2024**

Krishnan

... Petitioner

-VS-

1.The District Collector /
Monitoring Committee,
Sivagangai District.

2.The Revenue Divisional Officer,
Sivagangai District.

3.The Tahsildar,
Manamadurai Taluk,
Sivagangai District.

4.The Deputy Tahsildar,
Manamadurai Taluk,
Sivagangai 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 vide proceedings in Ref.No.A4/2876/2024 dated 08.10.2024 on the file of 4th respondent and quash the same as illegal and unconstitutional and consequently forbearing the respondents from in any way dispossessing the petitioner from his premises comprised in Survey No.17/6, situated at Maaranadu Village, Manamadurai Taluk, Sivagangai District except under due process of law.

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



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

ORDER

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

The prayer in the writ petition reads as follows:

“To issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Order vide proceedings in Ref.No.A4/2876/2024 dated 08.10.2024 on the file of 4th respondent and quash the same as illegal and unconstitutional and consequently forbearing the respondents from in any way dispossessing the petitioner from his premises comprised in Survey No.17/6, situated at Maaranadu Village, Manamadurai Taluk, Sivagangai District except under due process of law.”

2. Challenge is only to the notice under Section 7 of the Land Encroachment Act, 1905, which is a show cause notice. It is open to the petitioner to send a proper reply within 15 days from today. If the petitioner sends a reply within 15 days from today, the 4th respondent / the appropriate authority will consider the reply and pass appropriate orders under Section 6 of the Act. The petitioner will be at liberty to challenge the order so passed if it goes against him.



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3. In view of the same, this writ petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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[R.S.M., J.] [L.V.G., J.]

19.10.2024

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

To

- 1.The District Collector /
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Sivagangai District.
- 2.The Revenue Divisional Officer,
Sivagangai District.
- 3.The Tahsildar,
Manamadurai Taluk,
Sivagangai District.
- 4.The Deputy Tahsildar,
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R.SUBRAMANIAN, J.

and

L.VICTORIA GOWRI, J.

Sml

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