



W.P.(MD).No.25375 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2024

CORAM:

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

**W.P.(MD)No.25375 of 2024
and
W.M.P.(MD)No.21522 of 2024**

A.Karrupaiya

... Petitioner

-VS-

1.The District Revenue Officer,
Thiruchirapalli District.

2.The Tahsildar,
Marungapuri Taluk,
Thiruchirapalli District.

3.The Revenue Inspector,
Marungapuri Taluk,
Thiruchirapalli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the notice issued by the 2nd respondent U/s. 6 of Madras III Act, 1905, dated 15.10.2024.

For Petitioner : Mr.G.Thiruvavutselvan

For Respondents : Mr.P.T.Thiraviyam,
Government Advocate



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ORDER

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

The prayer in the writ petition reads as follows:

“To issue a Writ of Certiorari, to call for the records pertaining to the notice issued by the 2nd respondent U/s. 6 of Madras III Act, 1905 dated 15.10.2024.”

2. The order under challenge is one made under Section 6 of the Land Encroachment Act, 1905. The said order was specifically made appealable under Section 10 of the Land Encroachment Act, 1905. In our opinion, the petitioner has got an effective alternative remedy in the form of an appeal before the District Collector.

3. Hence, the writ petition is dismissed with liberty to the petitioner to approach the District Collector. The Registry is directed to return the original impugned order forthwith to enable the petitioner to file an appeal before the District Collector. If the petitioner files an appeal within a period of four (4) weeks from the date of receipt of the original impugned order from the Registry of this Court, the District Collector will take it on file and dispose of the same without reference to limitation. No costs. Consequently, the connected miscellaneous petition is closed.

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

24.10.2024

NCC : Yes/No
Index : Yes/No



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Internet : Yes
Sml

To

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