



W.P.(MD).No.28451 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.12.2024

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P.(MD).No.28451 of 2024

and

W.M.P.(MD).Nos.24159 to 24161 of 2024

1.R.Devasenathipathi

2.R.Kandasamy

3.K.Selvaraj

... Petitioners

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Special Tahsildar,
Adi Dravidar Welfare Branch-2,
Dindigul District.

3.The Tahsildar,
Oddanchathiram,
Dindigul District.

4.The Revenue Inspector,
Oddanchathiram,
Dindigul District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorari, calling for the records relating to the impugned notice of the fourth respondent in NIL proceedings dated 30.10.2024 in respect of the petitioners' land in Survey Nos.247/1, 274/2B, 247/3, 239/1A2, 346/2A9 in Irulakudumbanpatti Utkadai, Oddanchathiram Taluk, Dindigul District and quash the same.

For Petitioners : Mr.K.P.S.Palanivel Rajan
Senior Counsel
for Mr.S.Siva Thilakar
For Respondents : Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

By consent of both sides, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. This Writ Petition has been filed challenging the impugned notice issued by the fourth respondent in NIL proceedings dated 30.10.2024 in respect of the petitioners' land in Survey Nos.247/1, 274/2B, 247/3, 239/1A2, 346/2A9 in Irulakudumbanpatti Utkadai, Oddanchathiram Taluk, Dindigul District.



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3. It is settled proposition of law that the High Court, in exercise of its powers under Article 226 of the Constitution of India, will not venture to entertain a challenge to a show cause notice, except under very few exceptions, such as lack of authority, violation of principles of natural justice, etc.

4. The present notice, which is put under challenge, is one under Section 7 of the Tamil Nadu Land Encroachment Act, whereby, the petitioners are called upon to render their explanation as to why they should not be evicted from the lands in question on the ground that they have encroached upon the lands.

5. The grounds raised in the present Writ Petition does not touch upon any of these exceptions, by which, the present Writ Petition can be entertained. As such, we do not find any merits in the Writ Petition. Hence, the Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(M.S.R.,J.) (A.D.M.C.,J.)
02.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm



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