



W.P.No.25377 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 19.03.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**

and

THE HONOURABLE MRS.JUSTICE **K.GOVINDARAJAN THILAKAVADI**

W.P.No.25377 of 2021

&

W.M.P.No.26804 of 2021

Mrs.Shanthi

W/o.B.Annadurai

... Petitioner

vs.

1. The District Collector of Kallakurichi
Kallakurichi

2. The Revenue Divisional Officer
Kallakurichi

3. The Revenue Tahsildar
Kallakurichi

4. The Revenue Tahsildar
Vanapuram Taluk,
Kallakurichi District

... Respondents

(R4 *suo motu* impleaded vide this order)

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorari calling for the records of the third

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respondent pertaining to notice dated 10.11.2021 made in Na.Ka.A5/378/2021 under Act 3, Section 7 of the Tamil Nadu Encroachment Act, 1905 and quash the same as illegal and against law.

For Petitioner : Mr.R.Agilesh

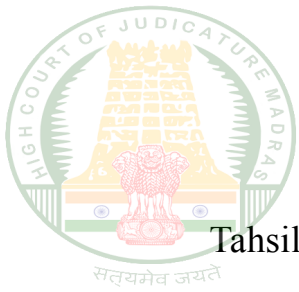
For Respondents : Mr.T.K.Saravanan
Additional Government Pleader

ORDER

[Order of the Court was made by **M.SUNDAR., J.,**]

After some arguments, Mr.R.Agilesh, learned counsel on record for the writ petitioner sought leave of this Court to withdraw the captioned main 'Writ Petition' ['WP' for the sake of brevity] and captioned 'Writ Miscellaneous Petition' ['WMP' for the sake of brevity] thereat but made a plea to preserve all the rights and contention of the writ petitioner to respond to impugned notice, which is a show-cause notice under Section 7 of 'the Tamil Nadu Land Encroachment Act, 1905 (Tamil Ndu Act III of 1905)' [hereinafter 'said 1905 Act' for the sake of brevity and convenience].

2. To be noted, the impugned notice has been issued by 'Revenue Tahsildar, Sankarapuram', who has been wrongly described as 'Revenue



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Tahsildar, Kallakurichi' in the main WP. Today, we are informed that there is further bifurcation and the Authority concerned is Revenue Tahsildar, Vanapuram Taluk, Kallakurichi District. This submission of learned State counsel is recorded. We *suo motu* implead the Tahsildar, Vanapuram Taluk, Kallakurichi District as R4 and Mr.T.K.Saravanan, learned Additional Government Pleader accepts notice for R4 also.

3. The response to impugned notice shall be sent within 7 working days from today i.e., by 26.03.2025. The response will now be sent to R4.

4. Endorsement made by learned counsel on record for writ petitioner in the case file is as follows:

Hon'ble court may be
permitted to withdraw
and liberty to respond
per 3rd Sept notice.
R. J. Paul
R. J. Paul
Counsel for petitioner
19/3/2025.



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In the light of narrative thus far, captioned WP and captioned WMP thereat are disposed of as closed/withdrawn albeit with preservation of rights of writ petitioner in the aforesaid manner. There shall be no order as to costs.

(M.S.,J.)

(K.G.T.,J.)

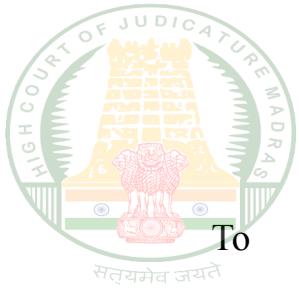
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Index : Yes/No

Neutral Citation : Yes/No

gpa



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To

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Kallakurichi District



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**M.SUNDAR.J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,**

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