



W.P.(MD)No.3108 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.04.2025

CORAM:

**THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MRS JUSTICE S.SRIMATHY**

W.P.(MD)No.3108 of 2025

and

W.M.P.(MD)Nos.2171, 2173 and 2175 of 2025

Achutha Kannan

...Petitioner

-Vs-

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer-cum-
Sub Divisional Executive Magistrate,
Sattur, Virudhunagar District.

3.The Tahsildar,
Vembakottai Taluk Office,
Vembakottai,
Virudhunagar District.

4.The Block Development Officer,
Vembakottai Taluk,
Virudhunagar District.

5.The President,
Konganakulam Panchayat,
Kongankulam,
Vembakottai Taluk,
Virudhunagar District.

...Respondents



W.P.(MD)No.3108 of 2025

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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the entire records, in relating to the impugned order of the second respondent made in Moo.Mu.Aa1/5884/2024 dated 30.12.2024 and to quash the same insofar as the petitioner is concerned and consequently to forbear the respondents from disturbing the peaceful possession and enjoyment of the petitioner's house situating in Survey No.46/5 & 46/1 in Kongankulam Village, Vembakottai Taluk, Virudhunagar District.

For Petitioner : Mr.M.S.Jeyakarthik
For Respondents : Mr.M.Sarangan
Additional Government Pleader

ORDER

(Order of the Court was made by **J.NISHA BANU, J.**)

Challenging the eviction order issued by the third respondent dated 30.12.2024, this Writ Petition has been filed.

2.As against the order of eviction, an appeal remedy is provided for under Section 10 of the Act, to the District Collector. When the Act provides for an effective appeal remedy before the District Collector against the eviction notice under Section 6, without exhausting the same, it would not be appropriate to entertain the present Writ Petition.



W.P.(MD)No.3108 of 2025

3.In the light of the above, we are not inclined to entertain the Writ Petition. Accordingly, this Writ Petition is dismissed with liberty to the petitioner to file appeal and stay application before the first respondent District Collector under Section 10 and 10-B of the Act. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

(J.N.B.,J.) (S.S.Y.,J.)
01.04.2025

Index : Yes/No

Internet : Yes/No

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W.P.(MD)No.3108 of 2025

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