



W.P.(MD)No.8433 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 26.03.2025

CORAM:

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

W.P.(MD)No.8433 of 2025
and
W.M.P.(MD)No.6303 of 2025

M.Ravi

...Petitioner

-Vs-

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

...Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, to call for the records of the impugned notice issued by the second respondent under Section 6 of the Land Encroachment Act, 1905 dated 17.03.2025 and quash the same.

For Petitioner : Mr.A.Arul Jenifer
For Respondents : Mr.M.Sarangan
Additional Government Pleader



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ORDER

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

Challenging the eviction order issued by the second respondent dated 17.03.2025, 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.

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 Petition is closed.

(J.N.B.,J.) (S.S.Y.,J.)
26.03.2025

Index : Yes/No
Internet : Yes/No
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