



W.P(MD)No.14591 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.05.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE S.SRIMATHY
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.14591 of 2025
and
W.M.P.(MD) No.10806 of 2025**

Jesu Rajesh Peter

... Petitioner

vs.

1.The District Collector,
Office of the District Collector,
Thoothukudi District.

2.The Tahsildar,
Thoothukudi District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned notice issued by the 2nd respondent in his proceedings in Na.Ka.A.3/1087/2025 dated 15.05.2025 and to quash the same and consequentially directing the respondents, their men and agents not to interfere with the peaceful possession and enjoyment of the petitioner.



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For Petitioner : Ms.P.Jessi Jeeva Priya

For Respondents : Mr.K.R.Badurus Zaman
Government Advocate

ORDER

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

Challenging the eviction notice issued by the **second respondent dated 15.05.2025**, this Writ Petition has been filed.

2.As against the impugned eviction notice, an appeal remedy is provided under Section 10 of the Tamil Nadu Land Encroachment Act, 1905, before the District Collector. When the Act provides for an effective appeal remedy before the District Collector against the eviction notice issued under Section 6, without exhausting the same, it would not be appropriate to entertain the present Writ Petition.



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WEB COPY3. 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 an appeal and stay application before the first respondent/District Collector under Section 10 and 10-B of the Tamil Nadu Land Encroachment Act, 1905, within a period of four weeks from the date of receipt of a copy of this order. Till such time, the respondents are restrained from taking any action. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

[S.S.Y.,J.] & [R.V.,J.]
21.05.2025

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

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To

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Office of the District Collector,
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S.SRIMATHY, J.
and
R.VIJAYAKUMAR, J.

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ORDER MADE IN
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