



W.P.(MD) No.24225 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.24225 of 2022

and

W.M.P.(MD)No.18333 of 2022

1.P.Venkatesh

2.P.Seeniraj

... Petitioners

Vs.

1.The Tahsildar,
Kadaladi Taluk,
Ramanathapuram District.

2.The Head Quarters Deputy Tahsildar,
Kadaladi Taluk,
Ramanathapuram District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the

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impugned order of eviction passed by 1st respondent served by 2nd respondent in Na.Ka.P1/5356/2022 dated 29.08.2022 and quash the same and consequently forbear the respondents herein, their officials, subordinates, men or agent from in any manner interfering with the peaceful possession of petitioners in Natham Survey No.384/22 situated in Kondunallanpatti Group, S.Tharaikudi Hamlet, Kadaladi Taluk, Ramanathapuram District.

For Petitioners : Mr.S.Srinivasa Raghavan

For Respondents : Mr.S.P.Maharajan,
Spl. Govt. Pleader for R1 & R2

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

By consent, this Writ Petition is taken up for final disposal.

2. Challenging the notice issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as 'the Act'), this Writ Petition has been filed.

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4. Heard the submission of the learned Special Government Pleader appearing for respondents 1 and 2 and perused the records available on record.

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5. In view of the above, the impugned notice is treated as a show cause notice and the petitioners are directed to file their objections / replies to the same before the authorities concerned, along with all supporting materials, within a period of two weeks from the date of receipt of a copy of this order. After receipt of the same, the authorities concerned shall consider such objections and if they are not satisfactory, then conduct a proper enquiry and thereafter, shall pass orders of eviction on merits and in accordance with law, within a period of six weeks thereafter. Till such time, status quo prevailing as on date shall be maintained by both parties.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[R.M.D., J.] [J.S.N.P., J.]

vsm

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