

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 04.05.2016

Coram:

The Hon'ble Mr.Justice K.K.SASIDHARAN
and
The Hon'ble Dr.Justice S.VIMALA

W.P.No.17340 of 2016 ,
WMP.Nos.14815 and 14816 of 2016

K.Ganesan

...Petitioner

Vs.

- 1.The District Collector,
Villupuram District, Villupuram.
- 2.The Tahsildar,
Sankarapuram Taluk Office,
Villupuram District.
- 3.The Revenue Tahsildar,
Sankarapuram Taluk, Villupuram District.
- 4.The Village Administrative Officer,
Mallapuram Village,
Sankarapuram Taluk, Villupuram District.
- 5.The Block Development Officer,
Mallapuram Village,
Sankarapuram Taluk, Villupuram District.
- 6.The President,
Rangaplpanur Village Panchayat,
Sankarapuram Taluk,
Puthirampattu Post, Villupuram District.

7.A.Thangaraj

...Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of a writ of Mandamus, directing the first respondent herein to dispose of the petitioner's appeal dated 27.04.2016 filed against the order of the 6th respondent dated Nil under Section 7 of the Land Encroachment Act 1905 [Tamil Nadu Act III of 1905] and received by the petitioner on 27.02.2016.

For Petitioner : Mr.Ashok Menon

For Respondents: Mr.M.Sanjay Gandhi
Additional Government Pleader

O R D E R

[Order of the Court was delivered by
[K.K.SASIDHARAN, J.]

The 6th respondent passed an order of eviction against the petitioner. The said order was challenged before the first respondent by invoking the provisions of the Land Encroachment Act. The appeal is stated to be pending. The prayer is to direct the first respondent to dispose of the appeal on merits.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader on behalf of respondents 1 to 6.

3. The petitioner has produced document to show that statutory appeal is pending on the file of the first respondent. The prayer is only for disposal of the said appeal.

4. The first respondent is directed to consider and dispose of the appeal preferred by the petitioner on 27.04.2016 on merits and as per law. Such exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

5. Status quo as on today shall be preserved in the mean time. In case action was taken by the 6th respondent, pursuant to the representation submitted by the 7th respondent, necessarily, opportunity of hearing should be given to the 7th respondent also, before disposal of the appeal.

The Writ Petition is disposed with the above direction. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

To

- 1.The District Collector,
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Puthirampattu Post, Villupuram District.

+2 ccs to Mr.Ashok Menon, Advocate, sr.28083

pa co
kra 06.05.2016

W.P.No.17340 of 2016

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