

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2016

CORAM

THE HON'BLE MR. JUSTICE K.K.SASIDHARAN
and
THE HON'BLE MR. JUSTICE M.VENUGOPAL

W.P. Nos.7406 to 7415 of 2016
and

W.M.P.Nos.6621 to 6630 of 2016

M.Sakthivel	...	Petitioner in W.P.7406/16
Kandhasamy	...	Petitioner in W.P.7407/16
K.Madavan	...	Petitioner in W.P.7408/16
S.Marimuthu	...	Petitioner in W.P.7409/16
T.Muthuvel	...	Petitioner in W.P.7410/16
K.Palanisamy	...	Petitioner in W.P.7411/16
S.Palanisamy	...	Petitioner in W.P.7412/16
P.Paramasivam	...	Petitioner in W.P.7413/16
N.Periasamy	...	Petitioner in W.P.7414/16
Rajan	...	Petitioner in W.P.7415/16

Vs.

1. The District Collector,
Erode District.

2. The Tahsildar,
Erode.

... Respondents in all WPs

Petitions filed under Article 226 of The Constitution of India praying for the issuance of a writ of mandamus forbearing the respondents herein from taking any action pursuant to the order dated 11.02.2016 passed by the second respondent under Section 6 of the Land Encroachment Act, 1905 in respect of Survey Nos.116, 117, 116, 117, 117, 71, 117, 117, 117, 117 and 117 respectively of Kathirampatti Village, Erode Taluk till the appeal filed by the appellant dated 19.02.2016 before the first respondent herein under Section 9A of the Tamil Nadu Encroachment Act, 1905 is disposed of by the first respondent herein.

For Petitioner : Mr.AR.L.Sundaresan, Senior Counsel
for AL.Gandhimathi
in all the W.Ps

For Respondents : Mr.P.S.Sivashanmugha Sundaram,
Special Government Pleader
in all the W.Ps

COMMON ORDER

(Order of the Court was made by K.K.SASIDHARAN, J.)

By consent, the writ petitions are taken up for final disposal during the time of admission.

2.Heard the learned senior counsel for the petitioners and the learned Special Government Pleader for the respondents.

3.These writ petitions are directed against the order dated 11 February 2016, whereby and whereunder the second respondent directed the petitioners to vacate and hand over vacant possession of the property in question.

4.The petitioners have filed statutory appeals before the first respondent on 19 February 2016 invoking Section 10B of the Land Encroachment Act, 1905. The appeals are stated to be pending on the file of the District Collector, Erode.

5.The learned Special Government Pleader, on instructions, would submit that the appeals would be disposed of by the District Collector within a period of two weeks.

6.The District Collector, Erode is directed to take up the appeals preferred by the petitioners and dispose of the same on merits and as per law as expeditiously as possible and in any case, within a period of two weeks from the date of receipt of a copy of this order. Status quo as on today shall be maintained till the disposal of the appeals by the first respondent.

7.The writ petitions are disposed of with the above direction. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mmi

To

1. The District Collector,
Erode District.

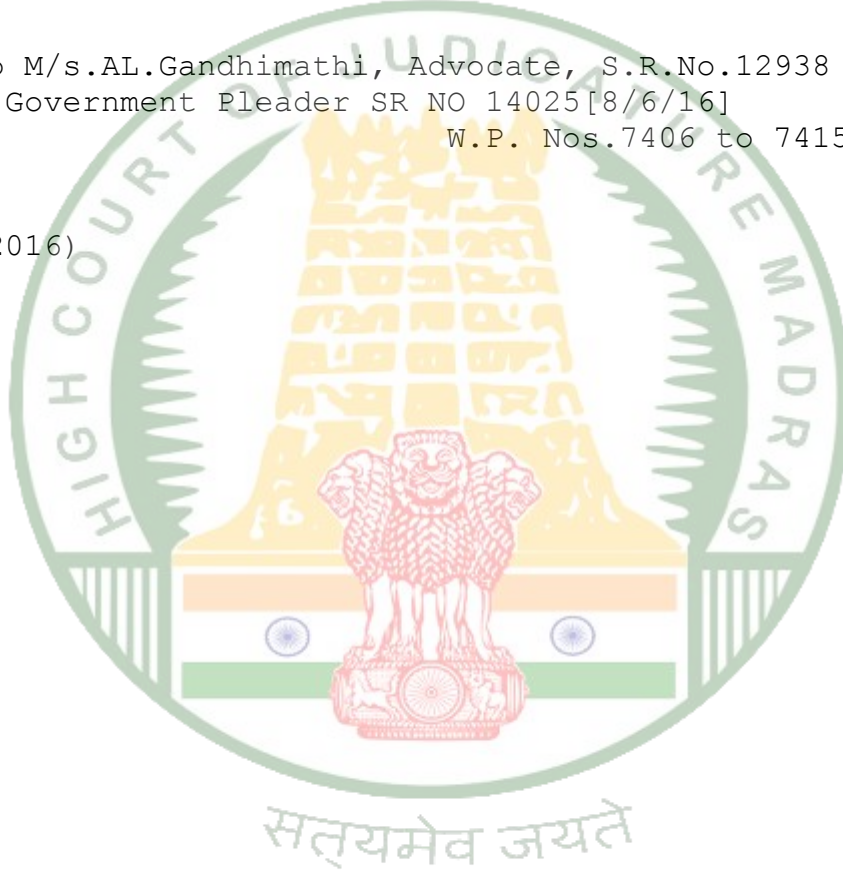
2. The Tahsildar,
Erode.

+10cc's to M/s.AL.Gandhimathi, Advocate, S.R.No.12938

+ 1 CC to Government Pleader SR NO 14025[8/6/16]

W.P. Nos.7406 to 7415 of 2016

KSJ(CO)
CA(02/03/2016)



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