

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 26.02.2019

CORAM

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.5510 of 2019

A.Kala

.. Petitioner

Vs.

1 The Government of Tamilnadu
Rep. by its Principal Secretary
Department of Revenue
Fort St. George, Chennai - 9.

2 The District Collector
Thiruvallur District.

3 The Tahsildar
Poonamallee Taluk
Thiruvallur District.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the 1st respondent to hold enquiry and pass orders on the petitioner's Statutory Revision Petition dated 21.02.2019 as well as on the petition for interim stay filed under Section 10(A) and 10 (B) of Tamil Nadu Land Encroachment Act 1905, against impugned order of eviction passed by the 2nd respondent in Na.Ka.No.18773/2018/N-1, dated 02.02.2019 within a stipulated time and till such time to forbear the respondents from taking any coercive action pursuant to the impugned orders passed by the 2nd respondent

confirming the order of 3rd respondent.

For Petitioner

: Mr.V.Raghavachari
for Mr.R.Veeramani

For Respondents

: Mr.V.Jayaprakash Narayanan
Government Pleader (i/c.)

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Heard Mr.V.Raghavachari, learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Government Pleader (i/c.) for the respondents.

2. The petitioner is impugning the order of eviction passed by the second respondent under Section 6 of the Tamil Nadu Land Encroachment Act, 1905. The said order is dated 2.2.2019. Being aggrieved by the said order, the petitioner has preferred a revision petition under Section 10-A of the Act on 21.2.2019. Stay application under Section 10-B of the Act has also been filed by the petitioner on the very same day, i.e., 21.2.2019. The prayer of the petitioner is that the revision and the stay application be disposed of at the earliest. The petitioner apprehends that if the stay application is not decided, she would be evicted from the premises.

3. The learned Government Pleader (i/c.) stated that the petitioner has already been evicted from the said premises.

In this view of the matter, the writ petition at this stage is infructuous and it is accordingly dismissed as infructuous. No costs. Consequently, W.M.P.No.6263 of 2019 is closed.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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To:

- 1 The Principal Secretary
Government of Tamilnadu
Department of Revenue
Fort St. George, Chennai - 9.
- 2 The District Collector
Thiruvallur District.
- 3 The Tahsildar
Poonamallee Taluk
Thiruvallur District.

W.P.No.5510 of 2019

EV(CO)
GN(20/03/2019)