

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2019

CORAM :

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.17618 of 2019 and

W.M.P.No.17078 of 2019

M.J.David

... Petitioner

Vs.

1.The Secretary,  
Government of Tamil Nadu,  
Land Administration Department,  
Fort St.George,  
Chennai - 9.

2.The District Collector,  
Office of the District Collector,  
Villupuram District,  
Villupuram - 605 602.

3.The Tahsildar,  
Office of the Tahsildar,  
Tindivanam,  
Villupuram District,  
Villupuram - 605 602.

4.The Block Development Officer,  
Olakkur Panchayat Union,  
Saram Post,  
Tindivanam Taluk,  
Villupuram District,  
Villupuram - 605 602.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of mandamus directing the 1<sup>st</sup> respondent to dispose of the petitioner's revision petition dated 25.01.2019 and till then forbear the respondents 1 to 4 from evicting the petitioner from the property situated in Survey No.130/3, Kambur Village of Villupuram District.

(Prayer amended vide order dated 01.07.2019 made in W.M.P.No.17071 of 2019)

For Petitioner : Ms.Ami V.Kataria

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

O R D E R

(ORDER OF THE COURT WAS MADE BY M.DURAI SWAMY, J.)

The above Writ Petition has been filed by the petitioner to issue a Writ of mandamus directing the 1<sup>st</sup> respondent to dispose of the petitioner's revision petition dated 25.01.2019 and till then forbear the respondents 1 to 4 from evicting the petitioner from the property situated in Survey No.130/3, Kambur Village of Villupuram District.

2.Earlier, the petitioner filed a Writ Petition in W.P.No.3472 of 2019 challenging the notice issued under Sections 6 & 7 of the Tamil Nadu Land Encroachment Act, 1905 dated 13.12.2018 and 24.12.2018 respectively and to forbear the respondents from evicting the petitioner from the property situated in Survey No.130/3, Kambur Village of Villupuram District, without following due process of law. As against the notice issued under Section 6 of the Act, the petitioner preferred an appeal under Section 10 of the Act on 24.12.2018 and the said appeal was dismissed by the 2<sup>nd</sup> respondent on 13.01.2019. As against the same, the petitioner preferred a revision before the 1<sup>st</sup> respondent on 25.01.2019. In these circumstances, this Court, by order dated 05.02.2019, disposed of the Writ Petition, giving direction to the 1<sup>st</sup> respondent to dispose of the stay petition within a period of ten days. Now, again the petitioner has filed the present Writ Petition for the relief stated above.

3.The learned counsel for the petitioner submitted that the 1<sup>st</sup> respondent had issued a notice to the petitioner to appear for an enquiry on 18.07.2019.

4.Since the 1<sup>st</sup> respondent is considering the petitioner's revision, no further direction need be issued to the 1<sup>st</sup> respondent. The 1<sup>st</sup> respondent shall decide the revision on merits and in accordance with law as expeditiously as possible.

5.With these observations, the Writ Petition is disposed of.  
No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

va  
To

- 1.The Secretary,  
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Fort St.George, Chennai - 9.
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Saram Post, Tindivanam Taluk,  
Villupuram District,  
Villupuram - 605 602.

+1cc to Mr.AMI.V.Kataria, Advocate Sr.59631  
+1cc to the Government Pleader Sr.60269

W.P.No.17618 of 2019 and  
W.M.P.No.17078 of 2019

pvs[co]  
srg 16/08/2019