

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2019

CORAM :

The Hon'ble Mrs.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. Nos.34871 of 2018, 7, 77 and 80 of 2019

M.Sathasivam .. Petitioner in
W.P.No.34871/2018

Nallammal .. Petitioner in
W.P.No.7 of 2019

S.Sakthivel .. Petitioner in
W.P.No.77 of 2019

S.Palanivel .. Petitioner in
W.P.No.80 of 2019

-vs-

1.The District Collector,
Office of the Collectorate,
Namakkal District.

2.The Tahsildar,
Mohanoor,
Namakkal District.

.. Respondents
in all WPs.

Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the 1st respondent to dispose of the appeals filed by the petitioners dated 09.11.2018 within the time limit that may be stipulated by this Hon'ble Court.

For Petitioners : Mr.M.Subash Babu

For Respondents : Mr.S.Kamalesh Kannan
Government Advocate

COMMON ORDER

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

The case of the petitioners is that they have preferred appeals under Section 10 of the Tamil Nadu Land Encroachment Act, 1905 against the notices issued under Section 6 of the said Act. The said appeals were preferred by them on 09.11.2018.

2. The prayer of the petitioners is that appeals are pending since long time and the same be decided at the earliest.

3. The learned Government Advocate states that the appeals preferred by the petitioners will be decided within a period of eight weeks from the date of receipt of a copy of this order.

4. Thereupon the learned counsel for the petitioners submitted that stay may be granted. We are not inclined to grant any stay and it would be open to the petitioners to prefer applications for stay under Section 10-B of the Tamil Nadu Land Encroachment Act, 1905 to the concerned authority i.e., respondent No.1/District Collector, Namakkal District. If such applications are filed, respondent No.1 shall decide the stay applications as expeditiously as possible on merits and in accordance with law.

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

Sd/-

Assistant Registrar

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

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To

1.The District Collector,
Office of the Collectorate,
Namakkal District.

2.The Tahsildar,
Mohanoor,
Namakkal District.

+1cc to Mr.M.Subash Babu, Advocate sr.no.4922
+1cc to Government Pleader sr.no.5339

W.P. Nos.34871 of 2018, 7, 77 & 80 of 2019

nr 08/02/2019



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