



WEB COPY

W.P. (MD) Nos. 14969, 14977, 14981, 14983 & 14984 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM  
and  
THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD) Nos. 14969, 14977, 14981, 14983 & 14984 of 2020  
and  
W.M.P (MD) .Nos.12601, 12612, 12615, 12619 & 12620 of 2020

|                 |                                              |
|-----------------|----------------------------------------------|
| M.Jeenath Begam | ... Petitioner in W.P.(MD) No.14969 of 2020  |
| P.Seeni Pandi   | ... Petitioner in W.P.(MD) No. 14997 of 2020 |
| Ramalakshmi     | ... Petitioner in W.P.(MD) No. 14981 of 2020 |
| S.Karuppiah     | ... Petitioner in W.P.(MD) No. 14983 of 2020 |
| S.Velusamy      | ... Petitioner in W.P.(MD) No. 14984 of 2020 |

-vs-

|                                                           |                                           |
|-----------------------------------------------------------|-------------------------------------------|
| 1. The District Collector,<br>Madurai District.           |                                           |
| 2. The Thasildar,<br>Peraiyur Taluk,<br>Madurai District. | ... Respondents in all the Writ Petitions |

**Common Prayer:** Petitions filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records pertaining to the impugned eviction notice dated on 06.10.2020 on the file of respondent No.2 and quash the same as illegal and consequently, direct the respondent No.1 to dispose the appeal filed by the petitioners dated 12.10.2020 within a time frame stipulated by this Court.

For Petitioner: Mr.S.Rajasekar [in all the writ petitions]

For Respondents: Mr.K.P.Narayana Kumar  
Special Government Pleader (in all the Wps)



**COMMON ORDER**

**[Order of the Court was made by K.KALYANASUNDARAM, J.]**

By consent, these writ petitions are taken up for final disposal at the admission stage itself.

2. These writ petitions have been filed for the issuance of Certiorarified Mandamus to quash the impugned order of the second respondent dated 06.10.2020 and consequently, direct the first respondent to dispose of the appeals of the petitioners dated 12.10.2020, within a time frame.

3. It appears that the second respondent has initiated proceedings against the petitioners under the Land Encroachment Act, 1905, branding the petitioners as encroachers of the Government land. The second respondent has also passed orders against the petitioners and aggrieved over the same, the petitioners preferred appeals before the first respondent under Section 10 of the Tamil Nadu Land Encroachment Act, 1905.

4. Mr.S.Rajasekar, learned Counsel for the petitioners would state that, though the appeals have been filed in time, however, still the petitioners are having apprehension of eviction from the second respondent and hence, these writ petitions.

5. Mr.K.P.Narayana Kumar, learned Special Government Pleader takes notice for the respondents and would state that the first respondent is ready to dispose of the appeals filed by the petitioners in a time frame.

6. Considering the submissions of the learned Counsel on either side, these writ petitions are disposed of directing the first respondent to pass orders on the appeals preferred by the petitioners purely on merits and in accordance with law within a period of six months after affording adequate opportunities to the petitioners. In the meanwhile, the respondents are directed to maintain *status quo* till then. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)



sj / pkn

**Note :**

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To:

1. The District Collector,  
Madurai District.
2. The Thasildar,  
Peraiyur Taluk,  
Madurai District.

+5 CCs to M/s.T.LAJAPATHI ROY, Advocate ( SR-20625 to 25629[F] dated 22/10/2020 )

+1 CC to SGP ( SR-20648 to 20652[F] dated 23/10/2020 )

**W.P. (MD) Nos. 14969, 14977, 14981, 14983 & 14984 of 2020**

**and**

**W.M.P (MD) .Nos.12601, 12612, 12615, 12619 & 12620 of 2020**

**22.10.2020**

**PM**(CO)

NR (04/11/2020) 3P : 9C