

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

W.P.No.9322 of 2021

L.Navamani
W/o.Balaji

... Petitioner

Vs

1.The Secretary to Government,
Revenue Department,
Government of Tamil Nadu,
Fort St.George,
Chennai-600 009.

2.The Commissioner of Land Administration,
Ezhilagam, Chempauk,
Chennai-600 005.

3.The District Collector
Chengalpattu District.

4.The District Collector
Kancheepuram District.

5.The Thashildhar
Tambaram Taluk,
Chengalpattu District.

सत्यमेव जयते

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the respondents or their men, subordinate from in any way interfering with peaceful possession and enjoyment of the petitioner's house property for an extent of 3700 sq.ft. comprised in old survey No.78/1A, new S.No.78/19B, situated at No.2/66, Vengaivasal Main Road, Vengaivasal Village, Santhosapuram, Tambaram Taluk, Chengalpet District.

For Petitioner : Mr.A.Ramalingam

For Respondents : Mr.S.Kamesh Kannan
Government Advocate

ORDER

(Order of the Court was passed by N.KIRUBAKARAN, J)

The Writ petition has been filed seeking Writ of Mandamus directing the District collector to dispose of the appeal filed by the petitioner. Against notice issued under Section 6 the Tamil Nadu Land Encroachment Act, by the Tahsildar, appeal has been preferred before the District Collector. Since the appeal has not been disposed of, the petitioner has come before this Court.

2. It is represented that the Appeal preferred before the District Collector has been disposed of. Therefore, practically speaking, the Writ petition has become infructuous. However, the petitioner has got 30 days time to file revision under Section 10(b) of the Tamil Nadu Land Encroachment Act.

3. Therefore, the petitioner shall file revision within a period of 30 days from the date of dismissal of the appeal by the District Collector and get an interim order, failing which, the very next day, the respondents shall act as per law and remove the encroachment.

4. With the above direction the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary to Government,
Revenue Department,
Government of Tamil Nadu,
Fort St.George,Chennai-600 009.
- 2.The Commissioner of Land Administration,
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Chennai-600 005.
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A.SK(13.07.2021)