



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 26.10.2021

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.22346 of 2021
and W.M.P.No.23583 of 2021

S.S.Nachimuthu

... Petitioner

-vs-

1.The District Collector
Tiruppur District
Tiruppur.

2.The Revenue Divisional Officer
Tiruppur.

3.The Tahsildar
Tiruppur (South)
Tiruppur.

4.Senthilkumar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the proceedings in Na.Ka.No.1745/2020/A5 dated 24.09.2021 on the file of the 3rd respondent and to quash the same.

For petitioner : Mr.R.Rajarajan

For respondents: Mr.T.N.C.Kaushik for RR1 to 3

ORDER

(Order of the Court was made by K.KALYANASUNDARAM, J.,)

This writ petition has been filed for issuance of writ of certiorari to quash the order of the 3rd respondent dated 24.09.2021 passed in proceedings Na.Ka.No.1745/2020/A5.

2.It appears that based on the representation of the 4th respondent, the 3rd respondent by the impugned order, directed the petitioner to remove the encroachment, said to have been made in 'Pathai'.



3. Aggrieved over the same, the petitioner has preferred an appeal before the 1st respondent.

4. The learned counsel for the petitioner, Mr. R. Rajarajan, would state that during the pendency of the appeal, the official respondents attempted to remove the encroachment and hence, the present writ petition has been filed. It is further stated that it would suffice, if a direction is issued to the 1st respondent to dispose of the appeal preferred by the petitioner and in the meanwhile, interest of the petitioner can be protected by granting an interim order.

5. The learned Government Advocate, Mr. T. N. C. Kaushik, would state that the 1st respondent is ready to pass orders on the appeal of the petitioner, in accordance with law.

6. Though the petitioner has sought for a larger prayer, considering the submissions of the learned counsel on either side, without expressing any opinion on the merits of the matter, this Court directs the 1st respondent to pass orders on the appeal preferred by the petitioner on 08.10.2021, after affording ample opportunity to all the necessary parties, within a period of six months from the date of receipt of a copy of this order. Till then, the respondents are directed to maintain status-quo as on date.

7. With the above direction, this writ petition stands disposed of. No costs. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

Jer

To

1. The District Collector
Tiruppur District,
Tiruppur.

2. The Revenue Divisional Officer
Tiruppur.



3.The Tahsildar
Tiruppur (South),
Tiruppur.

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+1cc to Mr.R.Rajarajan, Advocate SR.No.55452

+1cc to Government Pleader SR.No.55414

W.P.No.22346 of 2021
and W.M.P.No.23583 of 2021

PL (CO)
GMY (15/11/2021)