



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAISWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)Nos.19969 & 19970 of 2021

Krishnan

... Petitioner in both W.Ps'

Vs.

1.The District Collector,
Trichy District, Trichy.

2.The District Revenue Officer,
Trichy District,
Trichy.

3.The Revenue Divisional Officer,
Srirangam Division,
Vannankovil, Navalur Kuttapattu Post,
Trichy Dindigul National Highway,
Trichy District.

4.The Tahsildar,
Marungapuri Taluk,
Kallupatti Post,
Trichy District.

... Respondents in both W.Ps'

COMMON PRAYER: Petitions filed under Article 226 of the Constitution of India, praying for issuance of writs of Mandamus, directing the first respondent to dispose the stay petition filed by the petitioner under Section 10(B) of the Land Encroachment Act along with the appeal dated 28.10.2021 filed challenging the order passed by the fourth respondent dated 21.10.2021 and 27.10.2021 respectively within the time frame fixed by this Court.

For Petitioner : Mr.M.Saravanan
(In both W.Ps')

For Respondents : Mr.B.Saravanan
(In both W.Ps') Government Pleader



COMMON ORDER

(Order of this Court was made by **M.DURAISWAMY, J.**)

The petitioner has filed the above writ petitions to issue writs of Mandamus directing the first respondent to dispose of the stay petitions filed by him under Section 10(B) of the Land Encroachment Act along with the appeals dated 28.10.2021, challenging the order passed by the fourth respondent dated 21.10.2021 within the time frame.

2. It is the case of the petitioner that he has filed two appeals before the first respondent on 28.10.2021 challenging the order passed by the fourth respondent herein along with the petitions under Section 10(B) of the Tamil Nadu Land Encroachment Act seeking for interim stay and that the first respondent has not passed any order in the stay petitions.

3. The learned Counsel for the petitioner submitted that it would be suffice to direct the first respondent to consider the petitioner's applications seeking for stay filed along with the appeals dated 28.10.2021 within a time frame.

4. Mr.B.Saravanan, learned Government Advocate, taking notice for the respondents submitted that the first respondent may be directed to pass orders in the stay petitions within a period of ten days from the date of receipt of a copy of this order.

5. Having regard to the submissions made by the learned Counsel appearing on either side, taking into consideration the limited prayer sought for in the writ petition, without expressing any opinion with regard to the merits of the case, we direct the first respondent to consider the petitioner's stay petitions filed by him under Section 10(B) of the Tamil Nadu Land Encroachment Act along with the appeals dated 28.10.2021, on merits and in accordance with law and pass orders within a period of ten days from the date of receipt of a copy of this order.

6. With these observations, both the Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar (CS I)

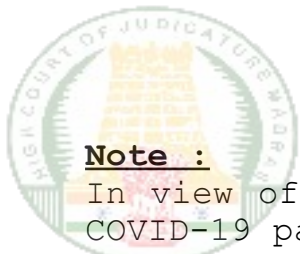
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/ /2021

Sub Assistant Registrar(CS)

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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,
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- 2.The District Revenue Officer,
Trichy District, Trichy.
- 3.The Revenue Divisional Officer,
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Trichy District.
- 4.The Tahsildar,
Marungapuri Taluk,
Kallupatti Post,Trichy District.

+2 CC to M/s.M.SARAVANAN, Advocate (SR-33604[F] dated 02/11/2021)
W.P(MD)Nos.19969 & 19970 of 2021
02.11.2021

MGJ/SKN(17.11.2021) 3P 7C