



W.P.No.31619 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

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R.Kanagarasu

.. Petitioner

Vs

- 1 The District Collector
Erode District.
- 2 The District Revenue Officer
Erode District.
- 3 The Revenue Divisional Officer
Gobichettipalayam, Erode District.
- 4 The Tahsildar (Revenue)
Athiyur Taluk, Erode District.
- 5 The Deputy Tahsildar
Anthiyur Zone, Anthiyur
Erode District.
- 6 Prakash
- 7 Sivanantham
- 8 K.Periyasamy
- 9 K.Rajamanickam

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the first respondent to dispose of the appeals dated 18.04.2022 preferred by respondents 6 to 9 within a stipulated time.

For the Petitioner : Mr.S.Kousik

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondents 1 to 5

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

R.Kanagarasu, son of E.M.Ramasamy, has filed this writ petition seeking issuance of a writ of mandamus directing the first respondent to dispose of the appeals dated 18.04.2022 preferred by the respondents 6 to 9 within a stipulated time.

2. Learned counsel appearing for the petitioner submitted that even though challenging the proceedings initiated under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, respondents 6 to 9 filed appeals before the first respondent on 18.4.2022, till date the first respondent has not passed any order. It is further submitted



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that the petitioner was impleaded as one of the parties in the aforesaid appeals and notice was also issued to him, but the appeals have not been disposed of till date by the first respondent.

3. Learned counsel for the petitioner further submitted that the petitioner is only interested in removal of encroachment made by respondents 6 to 9 and if the appeals are taken up by the first respondent, the petitioner will be able to assist the first respondent by placing on record all relevant information for removal of the encroachment.

4. Mr.P.Muthukumar, learned State Government Pleader appearing on behalf of respondents 1 to 5, submitted that the first respondent may be directed to dispose of the appeals dated 18.4.2022 within a reasonable time.

5. Taking note of the fact that the appeals are pending from 18.4.2022, we hereby direct the first respondent to issue notice to all the parties and dispose of the appeals on merits and in



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accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly. There will be no order as to costs.

(T.R., ACJ.) (D.K.K., J.)
28.11.2022

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T.RAJA, ACJ.
AND
D.KRISHNAKUMAR,J.

(sasi)

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