



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.12.2022

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**
AND
THE HON'BLE MR. JUSTICE **S.SOUNTHAR**

W.P.Nos.35120, 35122, 35125, 35128 & 35130 of 2022
and
W.M.P.Nos.34587, 34588, 34590, 34592 & 34594 of 2022

- | | |
|---------------------|---------------------------------------|
| 1.Gokulakrishnan | .. Petitioner in W.P.No.35120 of 2022 |
| 2.M.Gobalsing | .. Petitioner in W.P.No.34588 of 2022 |
| 3.G.Arumugam Pillai | .. Petitioner in W.P.No.35125 of 2022 |
| 4.S.Govinda Sing | .. Petitioner in W.P.No.35128 of 2022 |
| 5.Ravi | .. Petitioner in W.P.No.35130 of 2022 |

Vs.

- 1.The Government of Tamil Nadu,
Department of Revenue and Disaster Management,
Rep. by its Secretary,
Fort St. George, Chennai – 600 009.
- 2.The District Collector,
Kancheepuram District,
Vandavasi Road,
Kancheepuram – 631 001.



3.The Tahsildar,
Uthiramerur,
Kancheepuram.

4.The Revenue Inspector,
Thirupulivanam,
Kancheepuram.

.. Respondents in all WPs.

Common Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to number the Statutory Revision Petition dated 05.12.2022 and 12.12.2022 filed under Section 10-A of the Tamil Nadu Land Encroachment Act, 1905 challenging the Eviction Notice in Na.Ka.No.1826/2022/A2 dated 03.06.2022 passed by the 3rd respondent herein and to dispose of the same in accordance with law after given due opportunity to the petitioner.

For Petitioner

.. Mr.A.Abdul Hameed

For Respondents

.. Ms.E.Ranganayagi,
Additional Government Pleader



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ORDER

All these writ petitions have been filed in the nature of Mandamus seeking a direction to the 2nd respondent to number the Statutory Revision Petitions dated 05.12.2022 and 12.12.2022 filed under Section 10-A of the Tamil Nadu Land Encroachment Act, 1905 challenging the Eviction Notice in Na.Ka.No.1826/2022/A2 dated 03.06.2022 passed by the 3rd respondent herein and to dispose of the same.

2.These petitioners had suffered adverse orders passed by the 3rd respondent, Tahsildar, Uthiramerur and also adverse orders in the Appeal preferred by the District Collector, Kancheepuram. They have a right to prefer revision before the Government under Section 10-A of the Act. They had filed such revision on 05.12.2022 and 12.12.2022.

3.The learned counsel stated that they had also received acknowledgements from the 1st respondent about the filing of the said revision petitions. It is however apprehended that even without giving them proper opportunity to advance their case, they might be dispossessed. It is



for that reason and to protect possession primarily and also to ensure that the revision petitions are heard in manner known to law, these writ petitions have been filed.

4.The learned Additional Government Pleader, takes notice for the respondents.

5.We have confidence that the 1st respondent, if the revision petitions had been presented in manner known to law and in proper form, would take the same on record and afford an opportunity to the petitioners and examine the records and thereafter, pass a considered order. Let the 1st respondent pass necessary orders on or before 31.03.2023, following the principles of natural justice. We are also confident that till the orders are passed, the possession of the petitioners would not be disturbed.

6.With the above observations, these Writ Petitions stand disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

[CVKJ] [SSJ]
28.12.2022
(2/2)

Index: Yes/No
Internet: Yes/No
smv



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**C.V.KARTHIKEYAN,J.
AND
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