



W.P(MD)Nos.7895 to 7899 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

**W.P(MD)Nos.7895 to 7899 of 2018
and
W.M.P(MD)Nos.7485 to 7489 of 2018**

V.Swaminathan	... Petitioner in W.P(MD)No.7895 of 2018
K.Pandiyarajan	... Petitioner in W.P(MD)No.7896 of 2018
G.Viswanathan	... Petitioner in W.P(MD)No.7897 of 2018
R.Chezhan	... Petitioner in W.P(MD)No.7898 of 2018
M.Subaidha Banu	... Petitioner in W.P(MD)No.7899 of 2018

VS.

- 1.The District Collector,
District Collector Office,
Pudukkottai.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Aranthangi Town & Taluk,
Pudukkottai District.



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3.The Tahsildar,
Taluk Office,
Aranthangi Town & Taluk,
Pudukkottai District.

4.The Commissioner,
Aranthangi Municipality,
Aranthangi Post & Taluk,
Pudukkottai District.

... Respondents in all W.Ps'

COMMON PRAYER : Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of Writs of Certiorari, to call for the records of the third respondent in Na.Ka.No.3473/2017/A1, dated 16.03.2018 and quash the same as illegal.

In all W.Ps':-

For Petitioner	: Mr.P.Ganapathi Subramanian
For RR 1 to 3	: Mr.S.P.Maharajan Special Government Pleader
For R – 4	: No appearance

COMMON ORDER

(Order of the Court was made by R.MAHADEVAN, J.)

Challenging the eviction notices issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, these Writ Petitions have been filed.



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2. Today, when the writ petitions were taken up for hearing, learned counsel for the petitioners submitted that as against the impugned eviction notices, the petitioners are inclined to prefer appeals under Section 10 of the Tamil Nadu Land Encroachment Act, 1905, along with stay application, to the first respondent and therefore, it is suffice if a direction is issued permitting the petitioners to file such appeals with a further direction to the first respondent to dispose of the same within a time frame, for which, learned Special Government Pleader appearing for the respondents 1 to 3 is agreeable.

3. In view of the limited relief sought for, the petitioners are directed to file appeals under Section 10 of the Tamil Nadu Land Encroachment Act, 1905, along with stay applications, before the first respondent within a period of four weeks from today and on such filing, the first respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law within a period of eight weeks thereafter. Till the stay application is disposed of by the appellate authority, the respondents shall not take any coercive steps against the petitioners.



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4. With the above direction, these Writ Petitions are disposed of.

No costs. Consequently, connected miscellaneous petitions are closed.

[R.M.D.,J.] [J.S.N.P.,J.]
17.11.2022

Index : Yes / No

Internet : Yes

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ORDER MADE IN
W.P(MD)Nos.7895 to 7899 of 2018

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