



W.P(MD)No.22977 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2022

CORAM:

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

**W.P(MD)No.22977 of 2022
and
W.M.P(MD) No.17064 of 2022**

Sangapillai

... Petitioner

vs.

- 1.The District Collector,
Collectorate,
Trichy District.
- 2.The Revenue Divisional Officer,
Lalgudi, Trichy District.
- 3.The Tahsildar,
Taluk Office,
Mannachanallur Taluk,
Trichy District.
- 4.The Block Development Officer,
O/o.Mannachanallur Block,
Mannachanallur Taluk,
Trichy District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India
praying for the issue of a Writ of Mandamus, forbearing the respondents



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from taking steps under the Tamil Nadu Land Encroachment Act 1905 till the disposal of the appeal filed by the petitioner under Section 10 of the Tamil Nadu Land Encroachment Act 1905 as per the position of law established by the Supreme Court of India.

For Petitioner : Mr.S.Muthukrishnan

For Respondents : Mr.N.GA.Nataraj
Government Advocate
for R1 to R3
Mr.S.P.Maharajan
Special Government Pleader
for R4

ORDER

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

This Writ Petition is filed for a Writ of Mandamus, forbearing the respondents from taking steps under the Tamil Nadu Land Encroachment Act 1905, till the disposal of the appeal filed by the petitioner under Section 10 of the Tamil Nadu Land Encroachment Act 1905, as per the position of law established by the Supreme Court of India.

2. Today, when the writ petition was taken up for hearing, the learned counsel for the petitioner submitted that instead of filing appeal before the the first respondent – the District Collector, inadvertently, the petitioner filed appeal before the fourth respondent – Block Development



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Officer and therefore, he seeks liberty to workout his remedy before the appropriate appellate authority.

3. Granting such liberty, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[R.M.D.,J.] & [J.S.N.P.,J.]
30.09.2022

Index : Yes / No
Internet : Yes
pkn
To

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R.MAHADEVAN,J.

and

J.SATHYA NARAYANA PRASAD,J.

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**ORDER MADE IN
W.P(MD)No.22977 of 2022**

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