



W.P(MD)No.23015 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.23015 of 2022  
and  
W.M.P(MD) No.17133 of 2022**

Thangarasu

... 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 before the second respondent and not to invoke 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.V.Nirmal Kumar  
Government Advocate  
for R1 to R3  
Mr.G.V.Vairam Santhosh  
Additional 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 first respondent – the District Collector, inadvertently, the



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petitioner filed appeal before the fourth respondent – Block Development 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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Lalgudi, Trichy District.
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Trichy District.
- 4.The Block Development Officer,  
O/o.Mannachanallur Block,  
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Trichy District.

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**R.MAHADEVAN,J.**

**and**

**J.SATHYA NARAYANA PRASAD,J.**

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**ORDER MADE IN  
W.P(MD)No.23015 of 2022**

**30.09.2022**