



W.P(MD)Nos.17989 to 17994 of 2017

**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.17989 to 17994 of 2017  
and  
W.M.P(MD)Nos.14502 to 14513 of 2017**

**W.P(MD)No.17989 of 2017:-**

G.Sasikala

... Petitioner

vs.

- 1.The Tahsildar,  
Thanjavur Taluk,  
Thanjavur.
- 2.The District Collector,  
Thanjavur District,  
Thanjavur.
- 3.The Revenue Inspector,  
Thanjavur Revenue Division,  
Thanjavur.

... Respondents

**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records comprised in the proceedings of the first respondent bearing Na.Ka.No.11702/2002/A5, dated 05.09.2017 and quash the same as illegal and consequently, direct the respondents not to proceed with any action in

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respect of the proceedings bearing Na.Ka.No.11702/2002/A5, dated 05.09.2017 pending disposal of the appeal on the file of the second respondent.

For petitioner : Mr.S.Siva Thilakar

For Respondents : Mr.S.P.Maharajan  
Special Government Pleader

**COMMON ORDER**

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

Challenging the eviction notices issued by the first respondent, dated 05.09.2017, the petitioners have filed the present Writ Petitions.

2.The petitioners in all these Writ Petitions claimed that the appeals filed by the petitioners under Section 10 of the Land Encroachment Act, 1905, are pending consideration before the District Collector, Thanjavur, against the eviction notices issued under Section 6 of the Act.

3.Today, when the matter was taken up for hearing, the learned counsel appearing for the petitioners submitted that those appeals are still pending and the second respondent has not taken the appeals for hearing, but proceed to evict the petitioners.



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4.The learned Special Government Pleader appearing for the respondents submitted that the appeals filed by the petitioners would be disposed of within a period of four weeks on merits and in accordance with law, if not disposed of earlier.

5.Recording the abovesaid submissions, these Writ Petitions are disposed of directing the second respondent to dispose of the appeals filed by the petitioners on merits and in accordance with law, after affording sufficient opportunity of hearing to all the parties concerned, within a period of four weeks from the date of receipt of a copy of this order. Pending disposal of the appeals, no coercive steps be taken against the petitioners. After disposal of the appeals, if it is found by the authorities concerned that these petitioners have encroached upon the water bodies, such encroachment shall be removed forthwith by following due process of law, without causing any further delay. No costs. Consequently, connected Miscellaneous Petitions are closed.

Index : Yes / No  
Internet : Yes  
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**[R.M.D.,J.] [J.S.N.P.,J.]**  
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**R.MAHADEVAN,J.**  
**and**  
**J.SATHYA NARAYANA PRASAD,J.**

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**ORDER MADE IN**  
**W.P(MD)Nos.17989 to 17994 of 2017**

**DATED : 17.11.2022**