



W.P.No.2405 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2023

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.2405 of 2023

T.Manickam

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Petitioner

Vs.

1. The Principal Secretary to the Government
Revenue and Disaster Management
Kavingar Maligai, Fort St. George
Chennai 600 009.

2. The District Collector
First Floor, Collectorate Office
Krishnagiri 635 001.

3. The Commissioner
Krishnagiri Municipality
Gandhi Road, Veerappa Nagar
Krishnagiri District 635 001.

4. The Tahsildar
Krishnagiri Taluk Office
Krishnagiri 635 001.

5. Thirupathi Gounder

..

Respondents



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Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of Certiorarified Mandamus to call for the records on the file of the third respondent in Na.Ka.2035/2021/F1 dated 25.01.2023 and quash the same as illegal and without jurisdiction and to further forbear respondents 1 to 4 from taking coercive action with respect to land and building situated at S.No.901/3, T.S.No.65/2A2 situated in Boganappalli Village, Krishnagiri Taluk & District, pending final determination of petitioner's revision under Section 10A(c) of the Tamil Nadu Land Encroachments Act, 1905 on the file of the first respondent.

For the Petitioner : Mr.Avinash Wadhwani

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for Respondents 1 to 4

ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner is challenging the notice dated 25.01.2023 issued by the third respondent requiring the petitioner to remove the encroachment.

2. Learned counsel for the petitioner fairly submitted that though



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the petitioner has purchased the land of an extent of 877 sq.ft. in S.No.901/3 and T.S.No.65/2A2, Boganappalli Village, Krishnagiri Taluk & District vide sale deed dated 20.05.2015, the second respondent has ordered to remove the alleged encroachment and hence, the petitioner has filed a revision against the said order before the first respondent and the same is pending.

3. In view the above submission, we do not wish to go into the correctness of the statement averred in the affidavit filed in support of the writ petition, since the revision is pending before the first respondent. Therefore, we dispose of this writ petition with a direction to the first respondent to pass appropriate orders in the revision filed by the petitioner, on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order. There will be no order as to costs. Consequently, WMP Nos.2497 and 2499 of 2023 are closed.

(T.R., ACJ.) (D.B.C., J.)
30.01.2023

Index : Yes/No
Neutral Citation : Yes/No
kpl



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T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY,J

(kpl)

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