



WP No.12895 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.12895 of 2023

M.Sakthimohan ... Petitioner

versus

- 1.The Land Administrative Commissioner
Ezhhilagam, Chepauk,
Chennai-600 005.
- 2.The District Collector
Tiruvannamalai-606 604.
- 3.The District Revenue Officer
Tiruvannamalai District.
- 4.The Revenue Divisional Officer
Tiruvannamalai, Tiruvannamalai District.
- 5.The Tahsildar
Kilpennathur Taluk, Tiruvannamalai District.

6.M.Dhakshanamoorthy ... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of mandamus forbearing the respondents from taking any coercive action pertaining to the petitioner's building in Old Survey No.338/1, New Survey No. 338/56 measuring an extent of 1151 3/4 Sq.ft. (107.04 Sq.mt) situated at Vettavalam Village Dharmalingam Nagar, Kilpennathur Taluk, Tiruvannamalai District pending disposal of the petitioner's Revision dated 07.04.2023 filed before the 1st respondent.



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Appearances :

Mr.R.Jayaprakash, for the petitioner

Mr.P.Muthukumar, State Government Pleader, for respondents 1 to 5

ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner has filed this writ petition praying for a writ of mandamus forbearing the respondents from taking any coercive action pertaining to the petitioner's building at Old Survey No.338/1, New Survey No.338/56, measuring an extent of 1151¾ Sq.ft. (107.04 sq.mt) situated at Vettavalam Village, Dharmalingam Nagar, Kilpennathur Taluk, Tiruvannamalai District.

2. Learned counsel for the petitioner would submit that there is already an order passed by this Court in WP No.29795 of 2022, directing the petitioner herein, to file an appeal against the proceedings initiated under Section 6 of the Act before the District Collector, Tiruvannamalai, with respect to land in S.No.338/57, and the District Collector was directed to consider and pass orders on the same.

3. Now, under the guise of removing the encroachment from the land covered in S.No.338/57, the petitioner's land in S.No.338/56, which is classified as 'natham', is also being disturbed.



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4. In reply, Mr.P.Muthukumar, learned State Government Pleader, submitted that if the land is classified as 'natham', as alleged by the petitioner, the respondents will not disturb the land.

5. Recording the statement made by learned State Government Pleader, this writ petition is dismissed. Consequently, WMP No.12690 of 2023 is closed. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
27.04.2023

Index : Yes/No
Neutral Citation : Yes/No
tar

To

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

(tar)

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