



W.P.No.15138 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.05.2023

CORAM:

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.15138 of 2023
and W.M.P.No.14628 of 2023

A.Samivel

..Petitioner

Vs

- 1.The District Collector,
Villupuram District,
Villupuram.
- 2.The Deputy Director (Panchayats)
Villupuram District.
- 3.The Tahsildar,
Kandacheepuram Taluk,
Villupuram District.
- 4.The Block Development Officer (Village Panchayat)
Mugaiyur Panchayat Union @ Manampoondi,
Villupuram District.
- 5.The Inspector of Police,
Arakandanallur Police Station,
Arakandanallur,
Villupuram District.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a writ of certiorarified mandamus calling for the



W.P.No.15138 of 2023

records of the 4th respondent proceedings in Na.Ka.A2/3173/2022 dated 06.04.2023 and consequential proceedings in Na.Ka.A2/3173/2022 dated 28.04.2023 and quash the same and consequently direct the 1st respondent to dispose of the appeal dated 20.03.2023 under Section 10 of Tamil Nadu Land Encroachment Act, 1905 preferred by the petitioner within the time stipulated by this Court.

For Petitioner : Mr.K.Sakthivel

For Respondents : Mrs.S.Mythraye Chandru
Special Government Pleader

ORDER

(Made by DR.ANITA SUMANTH.,J)

Read this order in conjunction with and in continuation of order dated 10.05.2023. That reads as follows:-

"Mr.P.Muthukumar, learned State Government Pleader, who accepts notice on behalf of respondents would fairly accede to the position that the impugned order in Na.Ka.No.A2/3173/2022 dated Nil 04.2023 is a replica of order dated 08.03.2023 in all respects.

2. In fact the petitioner has already challenged order dated 08.03.2023 before the District Collector and such appeal is stated to be pending.

3. In such circumstances, the impugned



W.P.No.15138 of 2023

order is prima facie misconceived and Mr.P.Muthukumar, seeks a day's time to obtain in writing instructions from the respondents to the effect that the order is not pursued and is withdrawn.

4. List on 11.05.2023."

2. Learned Special Government Pleader had requested yesterday (10.05.2023) that a day's time may be given to enable the respondents to withdraw the impugned order. Today, she reiterates the undertaking given, and assures the Court that the needful will be done within a period of one week from today. This is recorded and this writ petition is allowed. No costs. Connected miscellaneous petition is closed.

(A.S.M., J.) (M.N.K., J.)
11.05.2023

Index:Yes/No
Neutral Citation : Yes/No
mmi/ssm



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DR.ANITA SUMANTH.,J
and
M.NIRMAL KUMAR.,J
mmi/ssm

To

- 1.The District Collector,
Villupuram District,
Villupuram.
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Villupuram District.
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W.P.No.15138 of 2023

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