



W.P. No. 19298 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2023

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No. 19298 of 2020

A.Sathiya Prakash

.. Petitioner

Versus

1. The District Collector
Chengalpattu District
Chengalpattu.
2. The Tahsildar
Taluk Office, Cheyyur Taluk
Chengalpattu District.
3. The Village Administrative Officer
VAO Office, Pavunjur
Chengalpattu District.
4. S.Anthony

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment made by the fourth respondent and others in the Government poramboke land situated in S.Nos. 170, 163/1, 163/2B, 163/3, 165/1B, 165/4A, 165/5A, 178/1 and 178/3, Pavunjur Village, Cheyyur Taluk, Chengalpattu District.



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For Petitioner : Mr. P.Saravanan
For Respondents 1 to 3 : Mr. A.Selvendran
Special Government Pleader
For R4 : Mr.A.Murugavel

ORDER

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

Heard all the parties and also perused the materials placed on record, apart from the pleadings of the parties.

2. This writ petition has been filed by the petitioner seeking for a mandamus, directing the respondents 1 to 3 to remove the encroachment made by the fourth respondent and others in the Government poramboke lands situated in S.Nos. 170, 163/1, 163/2B, 163/3, 165/1B, 165/4A, 165/5A, 178/1 and 178/3, Pavunjur Village, Cheyyur Taluk, Chengalpattu District.

3. When the matter was taken up for consideration, the learned counsel for the petitioner submitted that with respect to the subject matter in



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issue, an appeal is pending before the appellate authority, for which, the learned Special Government Pleader appearing for the respondent authorities submitted that the appellate authority shall consider and pass appropriate orders, on merits and in accordance with law, on the appeal, if any, pending before him, within a time frame to be stipulated by this court.

4. Considering the facts and circumstances of the case and having regard to the submissions so made by the learned counsel on either side, this court, without expressing any opinion on the merits of the case, directs the appellate authority to dispose of the appeal, if any, filed by the petitioner, on merits and in accordance with law, after affording an opportunity of hearing to all the necessary parties, within a period of eight weeks from the date of receipt of a copy of this order. Consequent to the order to be passed in the appeal, the respondent authorities shall proceed with the matter and remove the encroachment, if any, after following due process of law, within a period of six weeks thereafter.



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5. With the above directions, the writ petition is disposed. No costs.

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[R.M.D., J.] [M.S.Q., J.]
22.06.2023

Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non-Speaking Order

Maya

To

1. The District Collector
Chengalpattu District
Chengalpattu.
2. The Tahsildar
Taluk Office, Cheyyur Taluk
Chengalpattu District.
3. The Village Administrative Officer
VAO Office, Pavunjur
Chengalpattu District.



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R. MAHADEVAN, J.
and
MOHAMMED SHAFFIQ, J.

Maya

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