



WP No.18437 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.08.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

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M.Kumarasamy

: Petitioner

versus

1.The District Collector, Villupuram District

2.The District Revenue Officer
Kallakurichi Revenue District
Villupuram District

3.The Tahsildar
Kallakurichi, Villupuram district

4.The Block Development Officer
Panchayat Union Office
Thiyagadurgam, Villupuram District

5.Natesen

6.Ganesan

7.Venkatesan

8.Jayaraman

9.Ponnusamy

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 4th respondent to remove the encroachment put forth by the respondents 5 to 9 in the Maari Amman Temple land comprised in S.Nos. 252/27, 241/4, 251/11 situated at Eynaor Village Villupuram District pursuant to the order passed by 3rd respondent vide his proceedings in Na.Ka.



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A4/ 4510/ 2017 dated 16.08.2017.

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For the Petitioner : Mr.T.Balachandran
For Respondents 1 to 4 : Mr.P.Muthukumar,
State Government Pleader
For Respondents 6 to 8 : Mrs.Hema Sampath, Senior Counsel
for Ms.R.Meenal
For respondents 5 & 9 : No appearance

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.T.Balachandran, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader, for respondents 1 to 4 and Mrs.Hema Sampath, learned Senior Counsel, for respondents 6 to 8.

2. According to Mrs.Hema Sampath, learned Senior Counsel for respondents 6 to 8, respondents 6 to 8 have filed civil suits and the same are pending. The suits are ripe for trial.

3. According to Mr.P.Muthukumar, learned State Government Pleader, an order under Section 6 of the Tamil Nadu Land Encroachment Act has been passed on 03.01.2020.



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4. If an order under Section 6 of the Land Encroachment Act is already passed, naturally, the parties are required to take steps to implement the same. So also, it is for the plaintiffs in the civil suits to seek further orders as may be permissible under law.

5. The writ petition accordingly stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

24.08.2023

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

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