



W.P.Nos.23748, 23753 & 23758 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2023

CORAM :

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

AND

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

W.P.Nos.23748, 23753 & 23758 of 2023

P.Parthiban	..	Petitioner in WP No.23748/23
R.Dhayalan	..	Petitioner in WP No.23753/23
K.Thanigachalam	..	Petitioner in WP No.23758/23

Vs.

1. The District Collector Chengalpet Chengalpet District.	
2. The Tahsildar Thiruporur Taluk Chengalpet District.	
3. The Revenue Inspector Nellikuppam Village Thiruporur Taluk Chengalpet District.	.. Respondents in all W.Ps.



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Prayer: Petitions filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents 1 to 3 not to take any proceedings in furtherance to the notice under Section 6 of the Tamil Nadu Act 3 of 1905 issued by the second respondent dated 10.07.2023 until the disposal of the statutory appeal filed by the petitioners under Section 10 of the Tamil Nadu Act 3 of 1905 before the first respondent on 20.07.2023.

For the Petitioners : Mr.A.Saravanan

For the Respondents : Mr.K.M.D.Muhilan
Additional Government Pleader

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.A.Saravanan, learned counsel for the petitioners and Mr.K.M.D.Muhilan, learned Additional Government Pleader for the respondents.

2. Learned counsel for the petitioners submits that order under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 is passed against the petitioners and the petitioners filed an appeal under



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Section 10 of the act, along with stay application. The same are not heard and the respondents are taking steps to evict the petitioners pursuant to the order under Section 6 of the Act. The said appeals and stay applications were filed on 20.07.2023.

3. Learned Additional Government Pleader submits that the appeals would be decided within four weeks.

4. The petitioners shall appear before the appellate authority on 22.08.2023 and shall conduct the appeal. The petitioners shall not seek any adjournment. If adjournment is sought by the petitioners, the appellate authority can proceed further in the matter.

5. Till a decision is taken on the appeals, the respondents may not act upon the impugned order under Section 6 of the Act.

6. Pursuant to the decision of the appellate authority, the parties may take further steps.



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7. The writ petitions are disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.23251, 23254 and 23263 of 2023 are closed.

(S.V.G., CJ.)

(P.D.A., J.)

16.08.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

1. The District Collector
Chengalpet
Chengalpet District.
2. The Tahsildar
Thiruporur Taluk
Chengalpet District.
3. The Revenue Inspector
Nellikuppam Village
Thiruporur Taluk
Chengalpet District.



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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESEVALU, J.

(kpl)

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