



W.P.No.27980 of 2022

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2023

CORAM :

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

AND

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

W.P.No.27980 of 2022

Gopala Krishnan

.. Petitioner

Vs.

1. The Collector
Krishnagiri District
Collectorate
Krishnagiri District 635 001.
2. The District Revenue Officer
Krishnagiri District
Collectorate
Krishnagiri District 635 001.
3. The Revenue Divisional Officer
Krishnagiri
Bangalore Road Highway
Krishnagiri District 635 001.
4. The Tahsildar
Pochampalli Taluk
Pochampalli Post and Taluk
Krishnagiri District 635 206.



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5. The Block Development Officer
Kaveripattinam
Kaveripattinam Post and Taluk
Krishnagiri District 635 112.

6. C.Pattabiraman

7. Kaliappan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents 1 to 5 to retrieve the land belonging to Village Road and Arulmigu Mariamman Kovil comprised in S.No.651/19 of Kavappti Village, Maruderi Revenue Village, Pochampalli Taluk, Krishnagiri District which has been encroached by the respondents 6 and 7 and demolish the unauthorised structures put up by the respondents 6 and 7 in the encroached land within the time stipulated by this Hon'ble Court.

For the Petitioner : Mr.J.Chelladurai Cadlwell

For the Respondents : Mr.P.Muthukumar
State Government Pleader
Assisted by
K.M.D.Muhilan
Additional Government Pleader
for Respondents 1 to 5

Mr.S.Srinivasa Narayanan
for Respondent-6

No appearance -
for Respondent-7



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ORDER
(Made by the Hon'ble Chief Justice)

We have heard Mr.J.Chelladurai Caldwell, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader, assisted by K.M.D.Muhilan, learned Additional Government Pleader for the respondents 1 to 5 and Mr.S.Srinivasa Narayanan, learned counsel for the sixth respondent.

2. It is submitted by learned counsel for the sixth respondent that the sixth respondent has filed an appeal under Section 10 of the Tamil Nadu Land Encroachment Act, 1905 and the same is yet to be decided.

3. In view of the above, the first respondent shall decide the said appeal of the sixth respondent within three months from the date of receipt of a copy of this order. Depending upon the decision of the first respondent in the said appeal, further steps be taken by the parties.



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4. With the aforesaid observation, the writ petition is disposed of. There will be no order as to costs.

(S.V.G., C.J.)

(P.D.A., J.)
25.07.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

1. The Collector
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Collectorate, Krishnagiri District 635 001.
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Krishnagiri District
Collectorate, Krishnagiri District 635 001.
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Krishnagiri, Bangalore Road Highway
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Kaveripattinam, Kaveripattinam Post and Taluk

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

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