



W.P(MD)No.11436 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.05.2023

CORAM:

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P(MD)No.11436 of 2023
and
W.M.P(MD)No.9904 of 2023**

S.Subramanian

... Petitioner

Vs.

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.
- 3.The Revenue Divisional Officer,
Ramanathapuram District,
Ramanathapuram.
- 4.The Tahsildar,
R.S.Mangalam Taluk,
Ramanathapuram District.
- 5.The Block Development Officer,
R.S.Mangalam Taluk,
Ramanathapuram District.

6.K.Velu

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the fourth respondent i.e.,the Tahsildar, R.S.Mangalam in his Memo No.A3/179/2018 dated 25.04.2023 and quash the same and consequently direct the fourth respondent i.e.,the Tahsildar, R.S.Mangalam to await the result of the civil suit in O.S.No.92 of 2022 on the file of the District Munsif Court, Thiruvadanai filed by the petitioner for taking further action.

For Petitioner :Mr.S.Visvalingam

For R1 to R5 :Mr.S.Shanmugavel
Additional Government Pleader

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 5.

2. What is under challenge is an order passed under Section 6 of the Tamil Nadu Land Encroachment Act, 1905. This is an appealable order. The petitioner is given two weeks time from today to file an appeal before the appellate authority. The petitioner can also seek interim relief



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before the appellate authority. The fourth respondent is directed to keep the impugned order on hold for a period of four weeks.

3. The writ petition is disposed of accordingly. We have not gone into the merits of the matter. All the defences and contentions of the petitioner are left open. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S.,J.] [S.S.Y.,J.]
10.05.2023

Index: Yes/No
Internet: Yes/No
NCC: Yes/No
SJ/SN

To

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.
2. The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.
3. The Revenue Divisional Officer,
Ramanathapuram District,
Ramanathapuram.

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4.The Tahsildar,
R.S.Mangalam Taluk,
Ramanathapuram District.

5.The Block Development Officer,
R.S.Mangalam Taluk,
Ramanathapuram District.



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G.R.SWAMINATHAN, J.

AND

S.SRIMATHY, J.

SJ/SN

ORDER MADE IN

W.P(MD)No.11436 of 2023

10.05.2023