



W.P.(MD)No.25623 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)No.25623 of 2023
and W.M.P.(MD) No.21808 of 2023

Ram Prabhu

... Petitioner

Vs.

- 1.The Principal Secretary to Government,
The Revenue and Disaster Management Department,
2nd Floor, Old Building, Secretariat,
Chennai – 600 009.
- 2.The District Collector,
Office of the District Collector,
Thoothukudi District.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Kovilpatti,
Thoothukudi.
- 4.The Tahsildar,
Vilathikulam Taluk,
Thoothukudi District.



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5. The Project Officer,
SIPCOT Industrial Complex,
R34M+J5F, Madathur,
Sterlite Industries India Ltd.,
Thoothukudi District.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to dispose the revision petition dated 27.08.2020, filed by the petitioner's father within a time frame as may be fixed by this Court and consequently restraining the 5th respondent from interfering with the peaceful possession and enjoyment of the petitioner in the salt pan situated at Thoothukudi District, Vilathikulam Taluk, Vaippaar – I Village, Survey No. 989 to an extent of 7.52.0 hectares.

For Petitioner : Ms.P.Jessi Jeeva Priya

For Respondents : Mr.S.Kameswaran
Government Advocate for R1 to R4

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The relief sought for in the present Writ Petition is to direct the 1st respondent to dispose the revision petition dated 27.08.2020, filed by the petitioner's father within a time frame and consequently, to restrain the 5th respondent from interfering with the peaceful possession and enjoyment of the petitioner in the salt pan situated at Survey No. 989, Vaippaar – I Village, Vilathikulam Taluk, Thoothukudi District, to an extent of 7.52.0 hectares.



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2. By consent, this Writ Petition is taken up for final disposal at the the stage of admission itself. In view of the order proposed to be passed in this Writ Petition, notice to the 5th respondent is dispensed with.

3. The petitioner was identified as an encroacher by the revenue authorities. Notice under Section 7 of the Land Encroachment Act, 1905 was issued. On receipt of objections, the authorities have issued an order under Section 6 and the petitioner preferred an appeal before the District Collector, who in turn rejected the appeal and thus, the petitioner preferred revision before the Government, which is pending for consideration. The letter dated 14.09.2022 issued by the revenue and Disaster Management Department, Secretariat, reveals that the enquiry is scheduled to be conducted on 07.10.2023 at 3.45 p.m.

4. When that being the factum, the first respondent is directed to consider the Review Application filed by the petitioner and dispose of the same within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is at liberty to move an interlocutory application for the purpose of securing an interim order.



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5. With the above observation and direction, the Writ Petition stands disposed of. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

**(S.M.S., J.) & (V.L.N., J.)
20.10.2023**

NCC : Yes / No

Index : Yes / No

SJ

To

1.The Principle Secretary to Government,
The Revenue and Disaster Management Department,
2nd Floor, Old Building, Secretariat,
Chennai – 600 009.

2.The District Collector,
Office of the District Collector,
Thoothukudi District.

3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Kovilpatti,
Thoothukudi.

4.The Tahsildar,
Vilathikulam Taluk,
Thoothukudi District.

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V.LAKSHMINARAYANAN, J.

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