



W.P.(MD)No.25907 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.10.2023

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

and

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P.(MD)No.25907 of 2023

and

W.M.P.(MD)No.22251 of 2023

Abubacker Siddique

: Petitioner

Vs.

1.The District Collector,
Trichy District,
Trichy.

2.The Tahsildar,
Marungapuri Taluk,
Kallupatti Post,
Trichy District.

3.The Panchayat President,
Valanadu Panchayat & Post,
Palakurichi Via,
Marungapuri Taluk,
Trichy District.

: Respondents



W.P.(MD)No.25907 of 2023

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the first respondent to dispose of the statutory appeal filed by the petitioner dated 28.07.2023 under Section 10 of the Tamil Nadu Land and Encroachment Act, 1905 within the period that may be stipulated by this Court and consequentially to direct the second respondent to keep the order dated 30.06.2023 passed under Section 6 of the said Act, which is impugned in the statutory appeal stated supra in abeyance till the disposal of the said appeal.

For Petitioner : Ms.H.Jasima Yasmin
for M/s.Ajmal Associates
For Respondents : Mr.S.Shaji Bino,
Special Government Pleader

O R D E R

Heard both sides.

2.The petitioner had suffered an order under Section 6 of 'the Tamil Nadu Land Encroachment Act, 1905' [hereinafter 'the Act' for brevity] at the hands of the second respondent. The petitioner has filed statutory appeal under Section 10 of the Act before the first respondent.



W.P.(MD)No.25907 of 2023

3.The first respondent is directed to dispose of the appeal on merits and in accordance with law within a period of eight [8] weeks from the date of receipt of a copy of this order. We make it clear that we have not gone into the merits of the matter.

4.If the order impugned in the appeal is given effect to in the meanwhile, the appeal itself will become infructuous. Hence, the order passed by the second respondent shall be put on hold and kept in abeyance till the appeal is disposed of.

5.Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[G.R.S.,J.] & [P.D.B.,J.]
26.10.2023

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



WEB COPY



W.P.(MD)No.25907 of 2023

To

1.The District Collector,
Trichy District,
Trichy.

2.The Tahsildar,
Marungapuri Taluk,
Kallupatti Post,
Trichy District.

3.The Panchayat President,
Valanadu Panchayat & Post,
Palakurichi Via,
Marungapuri Taluk,
Trichy District.



WEB COPY



W.P.(MD)No.25907 of 2023

G.R.SWAMINATHAN, J.

and

P.DHANABAL, J.

MR

ORDER MADE IN

W.P.(MD)No.25907 of 2023

26.10.2023