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W.P.(MD)NO.30522 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.30522 of 2023 AND
W.M.P.(MD)No.26256 of 2023

R.Ramesh

... Petitioner

Vs.

1. The District Collector,
Sivagangai District.
2. The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.
3. The Zonal Deputy Tahsildar,
Thiruppathur Taluk,
Sivagangai District.
4. The Assistant Engineer,
TNEB,
A.Thekkur,
Thiruppathur Taluk,
Sivagangai District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to dispose of the appeal pending in E4/1430646/2023 on the file of the 1st respondent in respect of



Survey No.218 measuring an extent of 0.01.10 Ares in A. Thekkur village in Thiruppathur Taluk in Sivagangai District within the stipulated time frame.

For Petitioner : Mr.A.Arumugam
For R-1 to R-3 : Mr.K.Balasubramani,
Special Government Pleader.
For R-4 : Mr.R.M.Arun Swaminathan

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for respondents 1 to 3 and the learned counsel appearing for the fourth respondent.

2. The petitioner has suffered eviction at the hands of the Tahsildar, Thiruppathur Taluk under Section 6 of the Tamil Nadu Land Encroachment Act. The petitioner as well as the others have filed statutory appeals before the first respondent.

3. The first respondent is directed to dispose of the said appeals on merits and in accordance with law within a period of period of three months 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. The eviction order shall not be enforced till the appeals are disposed. This writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)

21st December 2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

PMU

To:

1. The District Collector,
Sivagangai District.
2. The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.
3. The Zonal Deputy Tahsildar,
Thiruppathur Taluk,
Sivagangai District.



WEB COPY



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AND

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