



WEB COPY



W.P.No.1148 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2024

CORAM :

**THE HON'BLE MR.SANJAY V.GANGAPURWALA ,
CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.1148 of 2023

Jayanthi

.. Petitioner

Versus

1. The Commissioner of Land Administration,
2nd floor, Ezhilagam,
Chepauk,
Chennai - 600 005.
2. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
3. The Tahsildar,
Thiruvannamalai Taluk,
Thiruvannamalai District.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings in ஐ.மு.எண்.(ஆ2)/171380/2022, dated 13.10.2022 passed by the 2nd respondent and notice issued by the 3rd respondent under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, dated



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06.01.2023 and quash the same as illegal, arbitrary, void ab initio in petitioner's property comprised in Town Survey No.1721/8 Ward No.2, Block No.27, Door No.2, Vediappan Street, Thiruvannamalai Town, Thiruvannamalai District and consequently, direct the 2nd respondent to dispose the appeal filed by the petitioner herein expediently.

For Petitioner : Mr.K.Krishnan,
for Ms.L.Karthiga

For Respondents : Mr.T.K.Saravanan,
Government Advocate

ORDER

(Order of the Court is made by the Hon'ble Chief Justice)

Heard Mr.K.Krishnan, learned Counsel for Ms.L.Karthiga, learned Counsel appearing on behalf of the petitioner and Mr.T.K.Saravanan, learned Government Advocate appearing on behalf of the respondents.

2. The petitioner is challenging the order passed under Section 6 of the Tamil Nadu Land Encroachment Act, 1905.

3. It is submitted that the petitioner already filed an appeal before the District Collector, Thiruvannamalai district under Section 10 of the Act, 1905.



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4. The learned Government Advocate, on instructions, submitted that the said appeal would be decided within four weeks.

5. In view of that, the petitioner may appear before the District Collector, Thiruvannamalai district in the appeal filed before him. Till the appeal is decided, the interim order passed by this Court on 12.01.2023 shall be maintained.

6. It is needless to state that the parties will be governed by the order passed by the District Collector, Thiruvannamalai district in the appeal.

7. This Writ Petition is disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.1169, 1171 and 1172 of 2023 are closed.

(S.V.G., CJ.)

(D.B.C., J.)

18.01.2024

Index : yes/no

Speaking order/Non-speaking order

Neutral Citation : yes/no

grs



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**THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.**

grs

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