



W.P.No.2917 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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- 1.S.A.Saravanan
- 2.P.Rathinam
- 3.R.Krishnan
- 4.C.Gopal
- 5.M.Narasimman
- 6.G.Variram
- 7.C.Dhanam
- 8.M.Nehru
- 9.M.Manikkam
- 10.P.Kunji
- 11.M.Rajendiran
- 12.Nallammal

.. Petitioners

VS

- 1.The District Collector,
Dharmapuri District,
Dharmapuri.
- 2.The Assistant Director of Panchayat,
Collectorate Campus,
Dharmapuri District,
Dharmapuri.



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3.The Tahsildar,
Pennagaram Taluk,
Dharmapuri District.

4.The Block Development Officer,
Eriyur Panchayat Union, Pennagaram Taluk,
Dharmapuri District.

5.The Deputy Superintendent of Police,
Pennagaram Taluk,
Dharmapuri District.

6.The Inspector of Police,
Eriyur, Dharmapuri District.

7.The Panchayat President,
Ajjanahalli Village Panchayat,
Pennagaram Taluk,
Dharmapuri District.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus to call for the impugned order in Na.Ka.No.510/2020/A3 dated 29.01.2024 issued by the third respondent which is received on 2.2.2024 and quash the same and consequently direct the respondents not to disturb the petitioner from their residence situated at West Street, Sigaralahalli, Ajjanahalli Post, Pennagaram Taluk, Dharmapuri District.

For the Petitioner : Mr.L.Chandrakumar
for Ms.S.Vinodha

For the Respondents : Mr.T.K.Saravanan
Government Advocate
for respondents 1 to 3, 5 & 6
: Mr.A.Anandan
Government Advocate
for respondents 4 and 7



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ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.L.Chandrakumar, learned counsel for Ms.S.Vinodha, learned counsel for the petitioners; Mr.T.K.Saravanan, learned Government Advocate for respondents 1 to 3, 5 and 6; and, Mr.A.Anandan, learned Government Advocate for respondents 4 and 7.

2. The petitioners have a remedy under Section 10 of the Tamil Nadu Land Encroachment Act, 1905.

3. In view of that, the writ petition is disposed of with liberty to the petitioners to avail the alternate remedy of appeal. For a period of ten days from today, the respondent authorities may not take further steps pursuant to the impugned order to enable the petitioners to file an appeal. The petitioners are also entitled to file a stay petition in the appeal. Needless to state,



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after the lapse of ten days, the protection granted by this Court shall come to an end. There shall be no order as to costs. Consequently, W.M.P.Nos.3159, 3161 and 3164 of 2024 are closed. W.M.P.No.3156 of 2024 filed to permit the petitioners to file a single writ petition is allowed and disposed of, inasmuch the petitioners have paid separate sets of court-fee.

(S.V.G., C.J.)

(D.B.C., J.)

16.02.2024

Index : Yes/No
Neutral Citation : Yes/No
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To

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Dharmapuri District, Dharmapuri.
- 3.The Tahsildar,
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5.The Deputy Superintendent of Police,
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6.The Inspector of Police,
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