



W.P.No.7892 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.7892 of 2024

Chitta Ekanathan

.. Petitioner

Vs.

1. The District Collector
Vellore District Collector Office
Vellore – 632 012.

2. The Tahsildar
Katpadi Taluk, Vellore District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, to forbear the respondents from taking any coercive action against the petitioner and dispossess the petitioner from the property in S.No.19/1 and S.No.19/54, Kandipedu Village, Katpadi Taluk, Vellore District, pending disposal of the appeal on the file of the first respondent against the order of the second respondent in Proceedings Nil dated 07.03.2024.

For the Petitioner : Ms.B.S.Mitraneshaa
for Ms.V.Srimathi

For the Respondents : Mr.A.Edwin Prabakar
State Government Pleader
for R1 and R2



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ORDER

(Made by the Hon'ble Chief Justice)

Heard Ms.B.S.Mitraneshaa, learned counsel appearing for Ms.V.Srimathi, learned counsel for the petitioner and Mr.A.Edwin Prabakar, learned State Government Pleader for the respondents.

2. Learned counsel for the petitioner submits that the appeal filed under Section 10 of the Tamil Nadu Land Encroachment Act, 1905, along with the stay petition/injunction application, is filed before the District Collector against the order passed under Section 6 of the Tamil Nadu land Encroachment Act, 1905. However, no orders are passed by the Collector and now, the Tahsildar is proceeding to vacate the petitioner.

3. The petitioner shall appear before the District Collector on 27.03.2024. The District Collector shall decide the stay petition/injunction application filed by the petitioner and/or the appeal within a period of fifteen days from the date of appearance of the petitioner. Till then, the Tahsildar shall not take any adverse action



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pursuant to the order passed under Section 6 of the Tamil Nadu Land Encroachment Act, 1905. If the petitioner does not appear on 27.03.2024 before the District Collector, then the authorities may proceed further in accordance with law.

4. The writ petition, as such, stands disposed of. There shall be no order as to costs. Consequently, W.M.P.No.8867 of 2024 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

21.03.2024

Index : Yes/No
Neutral Citation : Yes/No

drm

To

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

(drm)

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