



WEB COPY



W.P.No.26677 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.26677 of 2021

T.Periasamy

.. Petitioner

VS

- 1.The District Collector,
Salem District,
District Collectorate,
Salem – 636 001.
- 2.The Revenue Divisional Officer,
Revenue Division Office,
District Collectorate Office Complex,
Salem – 636 001.
- 3.The Deputy Tehsildhar,
Head quarters,
Tehsildhar Office,
Manakadu, Asthampatti,
Salem – 636 007.
- 4.The Revenue Surveyor,
Manakadu,
Asthampatti,
Salem – 636 007.



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5.Ponnupaiyan

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the third respondent to remove the encroachment made by the fifth respondent in Survey No.3/21 and 3/15 totally to an extent of 3 Acres at Karumuttikadu, Mookuthipalayam, Via – Mallur Village, Salem District based on petitioner representation dated 18.02.2019.

For the Petitioner : Mr.A.G.Prabukumar

For the Respondents : Mr.T.K.Saravanan
Government Advocate
for respondents 1 to 4

: Ms.J.Prithivi
for M/s.S.Kaithamalai Kumaran
for respondent No.5

ORDER

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

We have heard Mr.A.G.Prabukumar, learned counsel for the petitioner; Mr.T.K.Saravanan, learned Government Advocate for respondents 1 to 4; and, Ms.J.Prithivi, learned counsel for M/s.S.Kaithamalai Kumaran, learned counsel for respondent No.5.



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2. It is submitted that the authority had passed an order under Section 6 of the Tamil Nadu Land Encroachment Act, 1905. The fifth respondent has filed an appeal under Section 10 of the Act. The said appeal is dismissed. Aggrieved thereby, the fifth respondent has filed a revision.

3. In view of the above, the purpose of the writ petition now does not survive. Depending upon the result of the revision, the government authorities shall taken immediate steps.

4. With the above observation, the writ petition is disposed of. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

22.02.2024

Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

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