



WEB COPY



W.P.No.35363 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 19.12.2024**

CORAM :

**THE HONOURABLE MR. JUSTICE S.S. SUNDAR**

**AND**

**THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR**

**W.P.No.35363 of 2024**

M.Chinnasamy

... Petitioner

Vs.

1.The District Collector,  
Erode District,  
Erode.

2.The Revenue Divisional Officer,  
Gobichettipalayam,  
Erode District.

3.The Tahsildar,  
Anthiyur Taluk,  
Erode.

4.Anburaj

5.Anburose

.. Respondents



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**Prayer**: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2<sup>nd</sup> respondent to remove the encroachment made by the 4<sup>th</sup> and 5<sup>th</sup> respondents in S.F.No.1532/1 & S.F.No.1532/3, Anthiyur Village, Anthiyur Taluk, Erode District based on the representation of the petitioner dated 16.09.2023.

For Petitioner : Mr.E.P.Senniyangiri

For R1 to R3 : Mr.A.Edwin Prabakar  
State Government Pleader  
assisted by Mr.Habeeb Rahman  
Government Advocate

### **ORDER**

(Order of the Court was made by **S.S. SUNDAR, J.**)

Alleging that the private respondents have encroached public land, this writ petition is filed, based on the representation of the petitioner dated 16.09.2023.

2.The learned State Government Pleader appearing for the respondents 1 to 3, states that proceedings have been initiated against the encroachers under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 and subsequently,



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notice under Section 6 of the Act was also issued to the encroachers. In such circumstances, this Court is of the view that the prayer in the writ petition has become infructuous. Therefore, the official respondents are directed to proceed further for taking physical possession of the property, subject to pendency of any further Appeal before the District Collector or any other writ petition.

3. With the above direction, this writ petition is disposed of. No costs.

(S.S.S.R., J.) (M.S.K., J.)  
19.12.2024

mkn

Internet : Yes

Index : Yes

Neutral Citation : Yes

To

1. The District Collector,  
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Erode.

2. The Revenue Divisional Officer,  
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Erode District.

3. The Tahsildar,  
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Erode.

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**S.S. SUNDAR, J.**  
**and**  
**MUMMINENI SUDHEER KUMAR, J.**

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