



W.P.No.32182 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and

THE HONOURABLE MR. JUSTICE P.B. BALAJI

W.P.No.32182 of 2024 and W.M.P.No.34942 of 2024

Anandan

Petitioner

v

- 1 The District Collector
Collectorate Buildings
Dharmapuri District
- 2 The District Revenue Officer
Collectorate Buildings
Dharmapuri District
- 3 The Revenue Divisional Officer
RDO Office, Dharmapuri District
- 4 The Tahsildar
Taluk Office
Palacode Taluk
Dharmapuri District
- 5 The Revenue Inspector
Revenue Inspector Office
Marandahalli, Palacode Taluk
Dharmapuri District
- 6 The Block Development Officer
BDO Office, Palacode Taluk
Dharmapuri District
- 7 The Village Administrative Officer
A.Mallapuram Village & Post
Palacode Taluk, Dharmapuri District



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Respondents

Writ Petition filed under Article 226 of the Constitution of India

seeking a writ of certiorarified mandamus calling for the notification dated 04.10.2024 passed under Act III of the Land Acquisition Act, 1905 issued under Section 6 by the 4th respondent directing the petitioner to vacate the agricultural land comprised in survey No.243/1, Gujjarahallai Village, Palacode Taluk, Dharmapuri District admeasuring an extent of 0.10 hectares (25 cents) within 7 days alleging encroachment and failing to do so, eviction proceedings will be initiated and quash the same and consequently, to direct the 4th respondent to issue patta in the name of the petitioner to the above referred subject property within a time frame to be fixed by this Court.

For petitioner Mr. D. Rameshkumar
For respondents Mr. A. Edwin Prabakar
State Government Pleader

ORDER

(made by D. KRISHNAKUMAR, J.)

The legality and validity of the notification dated 04.10.2024 issued by the fourth respondent under Section 6 of the Land Encroachment Act, 1905, is called into question in this writ petition. The petitioner further seeks a direction to the fourth respondent to



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issue patta to him for the property in question.

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2. Today, when the matter was taken up for hearing, it was brought to the notice of this Court that an appeal has been preferred by the petitioner before the first respondent, viz., the District Collector, invoking Section 10 of the Tamil Nadu Land Encroachment Act, 1905, and the same is under consideration.

3. The above being the factual matrix involved in this case, without delving into the merits of the matter, it would suffice to direct the first respondent to consider and pass appropriate orders on the petitioner's appeal as expeditiously as possible, at any rate, not later than 12 weeks from the date of receipt of a copy of this order. It is made clear that till such time, status quo as obtaining today shall be maintained.

With the above directions, this writ petition stands disposed of sans costs. Connected W.M.P. is closed.

(D.K.K., J.) (P.B.B., J.)

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D. KRISHNAKUMAR, J.

and

P.B. BALAJI, J.

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To

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