



WEB COPY

W.P.No.34233 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2024

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR. JUSTICE K. RAJASEKAR**

W.P. No.34233 of 2019

M. Mayilsamy S/o. Muthusamy

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Namakkal District – 637 003.

2. The Tahsildar,
Office of the Tahsildar,
Tiruchengode Taluk,
Namakkal District – 637 211.

3. The Trustee,
Arulmigu Periyasamy Temple,
Karumapuram Post,
Tiruchengode Taluk,
Namakkal – 637 302.

4. The Revenue Inspector,
Office of the Revenue Inspector,
Karumapuram Post,
Tiruchengode Taluk,
Namakkal – 637 302.

..... Respondents



Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 4th respondent to execute the order of the 2nd respondent passed vide notice dated 06.09.2019 by taking possession of the Government land in S.No.488/7 which is encroached by the 3rd respondent within stipulated time as fixed by this Court.

For Petitioner : Mr. E.D. Sethupathi

For Respondents : Mr. A. Selvendran
Special Government Pleader
[for R1, R2 & R4]

Mr. E. Mohamed Abbas [for R3]

ORDER

[Order of the Court was made by S.M. Subramaniam,J.]

The notice dated 06.09.2019 issued by the 4th respondent is sought to be implemented by removing the encroachers, who are all in possession of the Government land in Survey No.488 of 2007.

2. It is not in dispute that notice under Section 7 of the Tamil Nadu Land Encroachment Act was issued to the encroachers. Thereafter on receipt of objections, an order under Section 6 of the Act was passed. The aggrieved persons preferred an appeal under Section 10 of the Act. If the



appeal filed under Section 10 of the Act has been disposed of, then the respondents are bound to remove the encroachers and if not disposed, then the District Collector shall dispose of the appeal within **4 weeks from today** and subject to the result of the orders passed by the District Collector, all further actions are to be initiated to remove the encroachments.

3. With these observations, the Writ petition stands disposed of.

There shall be no order as to costs.

(S.M.S.J) and (K.R.S.J)
14.02.2024

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
mjs

To

1. The District Collector,
Office of the District Collector,
Namakkal District – 637 003.

2. The Tahsildar,
Office of the Tahsildar,
Tiruchengode Taluk,
Namakkal District – 637 211.



WEB COPY

W.P.No.34233 of 2



S.M.SUBRAMANIAM, J.
and
K. RAJASEKAR, J.

mjs

3. The Trustee,
Arulmigu Periyasamy Temple,
Karumapuram Post,
Tiruchengode Taluk,
Namakkal – 637 302.

4. The Revenue Inspector,
Office of the Revenue Inspector,
Karumapuram Post,
Tiruchengode Taluk,
Namakkal – 637 302

W.P.No.34233 of 2019

14.02.2024