



W.P.(MD) No.1943 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.1943 of 2024

Shree Marithai Salt Works,
Rep. by its Partner,
M.Arunkumar.

... Petitioner

Vs.

1.The District Collector,
Tuticorin District.

2.The President,
Keelavaipar Panchayat, Keelavaipar,
Vilathikulam Taluk, Tuticorin District.

3.The Revenue Divisional Officer,
Vilathikulam,
Tuticorin District.

4.The Tahsildar,
Vilathikulam Taluk, Tuticorin District.

... Respondents



W.P.(MD) No.1943 of 2024

WEB COPY

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to dispose of the stay application along with the appeal dated 22.12.2023 on the file of 1st respondent and consequently forbearing the respondents from taking any such coercive action in furtherance to the order dated 07.12.2023 pending disposal of the appeal.

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondents : Mr.N.Satheeskumar,
Addl. Govt. Pleader R1, R3 and R4
Mr.S.P.Maharajan,
Spl. Govt. Pleader for R2

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the 1st respondent to dispose of the stay application along with the appeal dated 22.12.2023 on the file of 1st respondent and consequently forbearing the respondents from taking any such coercive action in furtherance to the order dated 07.12.2023 pending disposal of the appeal.



W.P.(MD) No.1943 of 2024

WEB COPY 2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, he has filed an appeal before the first respondent as against the notice dated 07.12.2023 issued under Section 6 of the Tamil Nadu Land Encroachment Act and the same is pending. However, the respondents are taking steps to evict the petitioner in the property in question. Hence, the petitioner has filed this Writ Petition.

4. Considering the facts and circumstances of the case, we direct the first respondent to dispose of the appeal dated 22.12.2023 filed by the petitioner, in accordance with law after providing opportunity to the petitioner within a period of eight weeks from the date of receipt of a copy of this order. In the meantime, the respondents shall not take any coercive steps for evicting the petitioner in the property in question.



W.P.(MD) No.1943 of 2024

WEB COPY 5. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

[D.K.K., J.] [R.V., J.]
31.01.2024

vsm

NCC : Yes / No

Index : Yes / No

To

- 1.The District Collector,
Tenkasi District.
- 2.The District Revenue Officer,
Tenkasi District.
- 3.The Revenue Divisional Officer,
District Collectorate Campus,
Tenkasi District.
- 4.The Tahsildar,
Alankulam Taluk,
Tenkasi District.



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W.P.(MD) No.1943 of 2024

D.KRISHNAKUMAR, J.
and
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W.P.(MD) No.1943 of 2024

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