



W.P.(MD).No.22009 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 11.12.2024

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P.(MD).No.22009 of 2021
and
W.M.P.(MD).No.18610 of 2021

G.N.Prabhakaran

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Tirunelveli.

2.The Tahsildar,
Tahsildar Office,
Ambasamuthiram Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents herein from any manner taking coercive steps in pursuant to the Section 6 notice dated 25.11.2021 received on 03.12.2021 issued under the Tamil Nadu Land Encroachment Act, 1905 till the pending disposal of the appeal filed by the petitioner on 07.12.2021 under Section 10 of the Tamil Nadu Land Encroachment Act, 1905 before the 1st respondent herein.



For Petitioner : Mr.D.Nallathambi
For Respondents : Mr.S.Shaji Bino
Special Government Pleader

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

The present Writ Petition is filed for Mandamus, directing the respondents herein from any manner taking coercive steps pursuant to the Section 6 notice dated 25.11.2021, received on 03.12.2021, issued under the Tamil Nadu Land Encroachment Act, 1905, pending disposal of the appeal filed by the petitioner on 07.12.2021, under Section 10 of the Tamil Nadu Land Encroachment Act, 1905 before the 1st respondent herein.

2. While the present Writ Petition is filed to direct the respondents not to take any coercive steps pursuant to the notice issued under Section 6 of the Land Encroachment Act, the petitioner had simultaneously filed an appeal before the first respondent herein on 07.12.2021. Similarly, the petitioner has filed an appeal against the order passed by the Revenue Divisional Officer dated 24.01.2022. The said appeal petition was dismissed on 14.02.2022. Challenging the dismissal order, the petitioner had filed a Writ Petition before this Court in W.P.(MD).No.2411 of 2022, which was also dismissed.



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3. The interim protection that has been granted in the present Writ Petition [W.P.(MD).No.22009 of 2021] was vacated as early as on 07.02.2022 in W.P.(MD).No.2411 of 2022, which was unsuccessfully challenged by the petitioner before the Hon'ble Supreme Court. In the light of these developments, interference to the notice issued under Section 6 is not feasible and hence, the Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(M.S.R.,J.) (A.D.M.C.,J.)
11.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm

To
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