



WP(MD). No.24420 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 28/10/2024

CORAM

**THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE
AND
THE HON'BLE MR. JUSTICE MOHAMMED SHAFFIQ**

WP(MD). No.24420 of 2024
and
WMP(MD)No.20743 of 2024

K.Nehru

... Petitioner

Vs

1. The District Collector cum Chairperson,
High Level Monitoring Committee,
Tenkasi District.

2. The Tahsildar,
Thiruvengadam Taluk,
Tenkasi District.

... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari calling for the records of the impugned notice issued by the 2nd respondent dated 01.10.2024 issued under Section 6 of Land Encroachment Act, 1905 and quash the same as illegal.



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For Petitioner : Mr.K.Govindarajan,
for Mr.R.J.Karthick

For Respondents : Mr.P.T.Thiraviyam
Government Advocate

ORDER

**(Order of the Court was made by
the Hon'ble the Chief Justice)**

After the petition was heard for some time, counsel sought leave to withdraw the petition with liberty to file an appeal under Section 10 of the Tamil Nadu Land Encroachment Act, 1905.

2.Counsel states the appeal will be filed within two weeks. Counsel also states the petitioner will move the appellate authority for stay.

3. Counsel further submits that since the petitioner has been enjoying an ad-interim stay, the stay may be extended for a reasonable period, so that the petitioner shall apply for stay to the appellate authority.

4. Petition is dismissed as withdrawn with liberty as prayed for. The appeal shall be filed within two weeks together with stay



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application. The stay application / appeal shall be disposed as per law.

Petitioner may apply for early hearing of the appeal and also the stay application to the appellate authority. The protection order granted earlier by this Court shall continue till 15th December, 2024. There shall be no order as to costs. Consequently, interim application stands disposed of.

(K.R.SHRIRAM, C.J.)

(MOHAMMED SHAFFIQ, J.)

28.10.2024

NCC : Yes/No

Index : Yes/No

RM



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**ORDER
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