



*W.P(MD)No.24555 of 2023 and
WMP(MD)Nos.13396, 13752, 13392 and 13385 of 2024 in
W.P(MD)Nos.25360 to 25363 of 2022*

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.12.2024

CORAM :

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

**W.P(MD)No.24555 of 2023
and
WMP(MD)Nos.13396, 13752, 13392 and 13385 of 2024
in
W.P(MD)Nos.25360 to 25363 of 2022**

S.A.Liyakath Ali

... Petitioner

VS.

1. The Secretary to Government,
Land Administration,
Chennai.

2. The Commissioner of Land Administration,
Chepauk,
Chennai-5.

3. The District Collector,
Madurai.

4. The District Revenue Officer,
Melur, Office at Y.Othakadai,
Madurai.

5. The Revenue Divisional Officer,
Melur, Office at Y.Othakadai,
Madurai District.



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6. The Tahsildar,
Madurai South Taluk,
Madurai District.

7. P.Rajendran(Died)

8. P.Mani

9. P.Mahalakshmi

10. Shanthi

11. Priya

12. R.Parimana Raja

13. R.Balaji

14. R.Srinivasan

... Respondents

(R12 to R14 are impleaded vide court order dated 08.03.2024 in WMP(MD)No. 1361 of 2024)

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 3 to 6 to implement the orders of the 2nd respondent passed in Proc.No.F2/1378038/2021 dated 15.03.2022 and to resume and take possession of the (MAYANAM) land in S.No.3/4 Viraganoor Village, Madurai District.

For Petitioner	: Mr.T.S.Mohamed Mohideen
For R1 to R6	: Mr.SRA.Ramachandran Additional Government Pleader
For R8, R10 & R11	: Mr.R.Senthil Prabhakar
For R7 & R9	: No appearance



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COMMON ORDER

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

The prayer in W.P(MD)No.24555 of 2023 is for issuance of a Writ of Mandamus, directing the respondents 3 to 6 to implement the orders of the 2nd respondent in Proc.No.F2/1378038/2021, dated 15.03.2022, and to take possession of the Mayanam land in S.No.3/4 at Viraganoor Village, Madurai District.

2. By the said order dated 15.03.2022, the 2nd respondent had dismissed the revision petition filed by the respondents 7, 8, 10 and 11, seeking regularization of encroachment in the subject land and to issue pattas to them, thereby confirmed the orders of the Tahsildar, Madurai South Taluk and the Revenue Divisional Officer.

3. Today, when the matter is called, it is stated that against the said order dated 15.03.2022, a Revision Petition under Section 10A of the Tamil Nadu Land Encroachment Act, 1905, in No.9674/LDK2/2023, is filed before the Secretary to the Government, Revenue Department/Land Administration Department, Chennai, 1st respondent herein, and the same is pending.

4. Heard both sides.



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5. Since the revision petition is pending with the 1st respondent from 2023, we direct the 1st respondent to consider the Revision Petition in No. 9674/LDK2/2023 filed under Section 10A of the Tamil Nadu Land Encroachment Act, 1905, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, private respondents, as well as all other persons, who may be interested in the subject property, within a period of three months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. No costs.

6. Insofar as the petitions seeking clarification in WMP(MD)Nos. 13396, 13752, 13392 and 13385 of 2024 in W.P(MD)Nos.25360 to 25363 of 2022 are concerned, it is clarified that the Secretary to the Government, Revenue Department/Land Administration Department, Chennai, shall entertain the revision petitions filed by the petitioners.



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7. Accordingly, WMP(MD)Nos.13396, 13752, 13392 and 13385 of 2024 are closed.

**(M.S.R, J.) (A.D.M.C, J.)
03.12.2024**

Index : Yes / No
Neutral Citation : Yes / No
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To

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COMMON ORDER MADE IN
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