



WP(MD). No.25966 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**

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P.Esakki

... Petitioner

Vs

1. The District Collector
Tirunelveli District
Tirunelveli

2.The Tahsildar
Nanguneri Taluk
Nanguneri
Tirunelveli District

3.The Revenue Inspector
Moolakaraipatti Firka
Mookaraipatti
Nanguneri Taluk
Tirunelveli District

4.The Village Administrative Officer,
Kadankulam Thirumalapuram Village
Kadankulam Thirumalapuram
Nanguneri Taluk
Tirunelveli District

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of



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India, praying this Court to issue a Writ of Mandamus to direct the 1st respondent to dispose of the appeal filed by the petitioner on 22.10.2024 under Section 10 of the Tamil Nadu Land Encroachment act, 1905 against the order dated 18.10.2024 passed by the 2nd respondent under Section 6 of the Tamilnadu Land Encroachment Act, 1905 within a stipulated time after affording an opportunity of fair hearing to the petitioner.

For Petitioner : Mr.N.Pragalathan
For Respondents : Mr.P.T.Thiraviyam
Government Advocate

ORDER

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

Petition is to direct respondent No.1 to dispose the appeal of the petitioner filed under Section 10 of the Tamil Nadu Land Encroachment Act, 1905.

2. According to petitioner, he is the owner of a land bearing S.No.632/27. Petitioner is aggrieved by a notice issued by respondents for removal of encroachment in land bearing S.No.632/26.

2. Petitioner counsel admits that S.No.632/26 is the pathway and is not owned by petitioner. After some arguments, counsel admits that



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there is some encroachment by way of a shed into the land bearing S.No.632/26. Counsel says that same shall be removed by petitioner himself to the satisfaction of respondents.

3. We direct the encroachment shall be removed not later than 5 p.m., on 29.10.2024.

4. Both counsels agreed that this will be accomplished, even, if for any reason, the order passed by this Court is not uploaded in the Web Site.

5. Petition is dismissed. There shall be no order as to costs. Consequently, connected interim application also stands dismissed.

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

(MOHAMMED

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NCC : Yes/No
Index : Yes/No

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THE HON'BLE CHIEF JUSTICE

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ORDER

IN

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