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W.P.Nos.1603, 1612 & 1615 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2025

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.Nos.1603, 1612 & 1615 of 2025

and

W.M.P.Nos.1826, 1835 & 1836 of 2025

Poongavanam
W/o.Sengoda Gounder

... Petitioner
in W.P.No.1603 of 2025

Sarasu
W/o.Pachaimuthu

... Petitioner
in W.P.No.1612 of 2025

Ammasi
S/o.Perumal

... Petitioner
in W.P.No.1615 of 2025

Vs.

1. The Government of Tamil Nadu
Rep. by its Additional Chief Secretary
Department of Revenue
Disaster Management
Land Disposal Wing, Fort St. George
Chennai-9.
2. The District Collector
Dharmapuri District
Dharmapuri.

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3. The Tahsildar
Harur Taluk
Dharmapuri District.

4. The Revenue Inspector
Revenue Inspector Office
Harur,
Dharmapuri District.

... Respondents
in all WPs

Prayer :

Writ Petition No.1603 of 2025 filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus, to direct the 1st respondent to dispose the stay application filed by the petitioner dated 06.01.2025 along with the revision filed against the order passed by the 2nd respondent dated 12.12.2024 in Na.Ka.20413/2024/Tha3 confirming the eviction notice issued by the 3rd respondent under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 dated 21.07.2024 and till such time, the 3rd respondent not to evict the petitioner from the land situated in S.No.47/5 of Kumarampatti Village, Harur Taluk, Dharmapuri District to an extent of 0070 ares.

Writ Petition No.1612 of 2025 filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus, to direct the 1st respondent to dispose the stay application filed by the petitioner dated 06.01.2025 along with the revision filed against the order passed by the 2nd respondent dated 12.12.2024 in Na.Ka.20413/2024/Tha3 confirming the eviction notice issued by the 3rd respondent under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 dated 21.07.2024 and till such time, the



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3rd respondent not to evict the petitioner from the land situated in S.No.47/5 of Kumarampatti Village, Harur Taluk, Dharmapuri District to an extent of 0.660 ares.

Writ Petition No.1615 of 2025 filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus, to direct the 1st respondent to dispose the stay application filed by the petitioner dated 06.01.2025 along with the revision filed against the order passed by the 2nd respondent dated 12.12.2024 in Na.Ka.20413/2024/Tha3 confirming the eviction notice issued by the 3rd respondent under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 dated 21.07.2024 and till such time, the 3rd respondent not to evict the petitioner from the land situated in S.No.47/5 of Kumarampatti Village, Harur Taluk, Dharmapuri District to an extent of 0.66.0 ares.

For Petitioner in all WPs : Mr.S.Doraisamy
For Respondents in all WPs : Mr.T.K.Saravanan
Government Advocate

COMMON ORDER

[Order of the Court was made by **M.SUNDAR, J.,**]

Captioned three main 'Writ Petitions' {hereinafter 'WPs' for the sake of brevity} have been filed with mandamus prayer qua stay petitions dated 02.01.2025 being stay petitions under Section 10-B of 'the Tamil Nadu Land



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Encroachment Act, 1905 (Tamil Nadu Act III of 1905)' {hereinafter 'said 1905 Act' for the sake of brevity}, pending statutory revisions under Section 10-A of said 1905 Act.

2. Mr.S.Doraisamy, learned counsel appearing for Mr.V.Elangovan, counsel on record for writ petitioners submits that writ petitioners have filed statutory revisions under Section 10-A of said 1905 Act along with stay petitions under Section 10-B of said 1905 Act but pending statutory revisions and stay petitions thereat, respondents have fixed tomorrow (28.01.2025) as the date of eviction / dispossession without passing any orders on stay petitions.

3. Issue notice.

4. Mr.T.K.Saravanan, learned Government Advocate accepts notice for all four respondents.

5. Owing to the limited scope of captioned WPs, main WPs were taken up in the Admission Board with the consent of both sides.

6. Learned State Counsel submits, on instructions that aforesaid stay petitions dated 02.01.2025 will be disposed of by R1 as expeditiously as the business of R1 would permit but in any event, within a fortnight from today i.e., on or before 10.02.2025. This submission of learned State Counsel is

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recorded.

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7. As aforesaid stay petitions are with prayers for stay pending statutory revisions, any action in the form of eviction, dispossession or any other coercive action can only be subject to / depending on orders in stay petitions.

8. Though we are not issuing any direction to R1 to take up main revisions, we make it clear that it is open to R1 to take up main revisions and pass orders on the same also within the aforementioned time.

9. Be that as it may, if orders to be passed in stay petitions or revision petitions are adverse to writ petitioners, the same shall be kept in abeyance for a fortnight from the date of service of orders on writ petitioners so as to enable writ petitioners to work out their remedies, if so advised and if so desired and if orders are in favour of writ petitioners, it will be curtains on the matter.

Captioned main WPs disposed of in the aforesaid manner recording the stated position of learned State Counsel. Consequently, captioned Writ Miscellaneous Petitions thereat are disposed of as closed. There shall be no order as to costs.



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(M.S.,J.)

(K.R.S.,J.)

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Index : Yes / No

Neutral Citation : Yes / No

Speaking order / Non-speaking order

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P.S. I: *Upload forthwith*

P.S.II : *All concerned to act forthwith on the uploaded soft copy of this proceedings as uploaded in the official website of this Court. To be noted, the soft copies uploaded in the official website of this Court are water marked, besides being QR Coded.*

To

1. The Government of Tamil Nadu
Rep. by its Additional Chief Secretary
Department of Revenue
Disaster Management
Land Disposal Wing, Fort St. George
Chennai-9.
2. The District Collector
Dharmapuri District, Dharmapuri.
3. The Tahsildar
Harur Taluk
Dharmapuri District.
4. The Revenue Inspector
Revenue Inspector Office
Harur, Dharmapuri District.

M.SUNDAR, J.,
and
K.RAJASEKAR, J.,



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