



WEB COPY



W.P.No.1258 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P. No.1258 of 2025

Muthu Mayilswami

Petitioner

vs.

1. The Additional Chief Secretary to Government
Revenue and Disaster Management Department
Secretariat
Fort St. George
Chennai 600 009
2. The District Collector
Salem District
Salem 636 001
3. The Revenue Divisional Officer
Mettur 636 401
Salem District
4. The Tahsildar
Mettur 636 401
Salem District

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the first respondent to dispose of the revision petition dated 10.11.2023 filed by the petitioner after conducting an enquiry as per law, forthwith.

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For petitioner Mr. P. Jagadeesan
For respondents Mr. V. Ravi
Special Government Pleader

ORDER

[made by M.SUNDAR, J.]

Captioned 'writ petition' (hereinafter 'WP' for the sake of brevity)

has been filed with a mandamus prayer *qua* R1 (Additional Chief Secretary to Government, Revenue and Disaster Management Department) as regards a statutory revision under Section 10-A of the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905) (for brevity 'said 1905 Act').

2. Learned counsel for writ petitioner Mr. P. Jagadeesan submits that the writ petitioner had earlier come to this Court by way of W.P.No.33357 of 2022, the same came to be disposed of by another Hon'ble Division Bench *inter alia* preserving writ petitioner's liberty to file statutory revision. Thereafter, statutory revision dated 10.11.2023 was filed along with a stay petition under Section 10-B of said 1905 Act but the main statutory revision and stay petition are pending without any orders having been passed necessitating the captioned main WP is learned counsel's further say.



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3. Issue notice to respondents.

4. Mr. V. Ravi, learned Special Government Pleader, accepts notice for the respondents and submits, on instructions, that the stay petition under Section 10-B of said 1905 Act will be disposed of as expeditiously as the business of R1 permits but in any event, within a fortnight from today, *i.e.*, on or before 04.02.2025. This submission is recorded. We also deem it appropriate to write that any further action will be subject to orders in the stay petition.

5. For the sake of abundant specificity, we make it clear that we have not fixed any time frame for disposal of the statutory revision as that would depend on other official business of R1. This also means that it is open to R1 to take up the main statutory revision also within a fortnight, if it is feasible. We also make it clear that the stay petition will be disposed of on its own merits and in accordance with law untrammelled by this order.



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6. Captioned WP stands disposed of in the aforesaid manner.

There shall be no order as to costs.

(M.S., J.) (K.R.S., J.)

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cad
Index : Yes/No
Internet : Yes/No



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- To
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M.SUNDAR, J.

and

K.RAJASEKAR, J.

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