



W.P.No.26331 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

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CORAM:
THE HONOURABLE MR.JUSTICE M.SUNDAR
and
THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.No.26331 of 2025 and W.M.P.No.29632 of 2025

D. Prakash

Petitioner

vs.

1. The District Collector
O/o the District Collector
Gopalapuram
Coimbatore 641 018
2. The District Revenue Officer
O/o the District Revenue Officer
Coimbatore
3. The Tahsildar
Annur Taluk
Annur 641 653
Coimbatore District
4. The Land Revenue Inspector
Annur North
Annur Taluk
Coimbatore District

Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the first respondent to dispose of the statutory appeal filed by the petitioner dated 24.12.2024 along with the stay petition after giving opportunity of hearing to the petitioner in the interest of justice.

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For petitioner Mr. R. Amardeep
for M/s.Tamizh Law Firm

For respondents Mr. T.K. Saravanan
Addl. Government Pleader

ORDER

[made by M.SUNDAR, J.]

Captioned main 'writ petition' (hereinafter 'WP' for the sake of brevity) has been filed for issue of a writ of mandamus *qua* statutory appeal dated 24.12.2024 being statutory appeal (hereinafter 'said statutory appeal' for the sake of convenience and clarity) under Section 10 of 'the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905)' (for brevity 'said 1905 Act') assailing the notice dated 27.09.2024 issued by R3 (Tahsildar) under Section 6 of said 1905 Act.

2. To be noted, R1 (District Collector, Coimbatore) is the Appellate Authority as regards said statutory appeal.

3. Mr. R. Amardeep, learned counsel representing M/s.Tamizh Law Firm, learned counsel on record for writ petitioner, submits that along with said statutory appeal, an application filed under Section 10-B of said 1905 Act seeking stay, is also pending.



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4. Issue notice to respondents.

5. Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice for the respondents and submits that the aforereferred stay petition will be disposed of by R1 within a period of three weeks from today *i.e.*, on or before 11.08.2025.

6. The aforesaid submission of learned State counsel is recorded. We make it clear that coercive action, if any, shall be subject to outcome of the stay petition.

7. Captioned WP stands disposed of in the aforesaid manner by recording the aforesaid submission made by learned State counsel. As we have held that coercive action (if any) shall be subject to/depending on the outcome of the stay petition, captioned writ miscellaneous petition thereat has become otiose and therefore, the same is disposed of as closed. There shall be no order as to costs.

(M.S.,J.) (H.C.,J.)
21.07.2025

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M.SUNDAR, J.

and

HEMANT CHANDANGOUDAR, J.

cad

To

1. The District Collector
O/o the District Collector
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O/o the District Revenue Officer
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