



W.P. No.13277 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR
and
THE HONOURABLE MRS. JUSTICE K. GOVINDARAJAN THILAKAVADI

W.P. No.13277 of 2025 and W.M.P.No.14854 of 2025

Natesan @ Senkoda Gounder

Petitioner

vs.

1. The District Collector
Erode District
Erode
2. The Tahsildar
Gobichettipalayam Taluk
Gobichettipalayam
Erode District
3. The Revenue Inspector
Vaniputhur Sub Taluk
Vaniputhur
Erode District

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the District Collector, Erode District, first respondent herein, to consider the appeal and stay petition of the petitioner dated 19.02.2025 against the order dated 07.02.2025 issued by the second respondent within a time frame.



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W.P. No.13277 of 2025

For petitioner Mr. A.V. Arun
For respondents Mr. T.K. Saravanan
Addl. Government Pleader

ORDER

[made by K. THILAKAVADI GOVINDARAJAN, J.]

This writ petition has been filed seeking a writ of mandamus directing the District Collector, Erode District, first respondent herein, to consider the petitioner's appeal and stay petition dated 19.02.2025 within a time frame.

2. The petitioner's case, in a nutshell, is as follows:

The petitioner is the owner of land in S.No.352/22 in 007 Kongarpalayam Village, Gobichettipalayam Taluk, Erode District and the access to the said land is *via* a pathway in S.No.352/23 (pathway) which admeasures 25 metres. While updating land records, the Government classified the said pathway as Government poramboke lane without any notice to the petitioner. Following that, the Revenue Inspector issued a notice dated 31.12.2024 under Section 7 of the Tamil Nadu Land Encroachment Act, 1905



W.P. No.13277 of 2025

WEB COPY

(for brevity "the Act") requiring the petitioner to show cause as to why the alleged encroachment should not be removed. Not satisfied with the petitioner's reply thereto, the Tahsildar made an order / issued a notice dated 07.02.2025 under Section 6 of the Act directing removal of alleged encroachment within seven days. Thereagainst, the petitioner preferred an appeal under Section 10 of the Act on 19.02.2025 together with a stay petition under Section 10-B of the Act, before the District Collector, the first respondent herein, and both the appeal and stay petition are still under consideration. Since there is an imminent threat of dispossession, the instant writ petition has been filed with the aforesaid relief.

3. Issue notice to the respondents.

4. Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice for all the respondents and submits, on instructions, that the petitioner's aforereferred stay petition will be considered and disposed of within three weeks from today *i.e.*, on or



W.P. No.13277 of 2025

before 06.05.2025.

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5. The aforesaid stated position of the learned Additional Government Pleader is recorded. However, it is made clear that coercive action, if any, shall be subject to / depending on the outcome of the stay petition and the appeal shall be disposed of as expeditiously as the official business of R1 would permit.

6. This writ petition stands disposed of by recording (as an undertaking given to Court) the stated position of the learned State counsel and with the aforesaid observation. Consequently, connected W.M.P. stands closed. No costs.

(M.S., J.) (K.G.T., J.)
15.04.2025

cad
Index : Yes/No
NC : Yes/No



W.P. No.13277 of 2025

WEB COPY

To:

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2. The Tahsildar
Gobichettipalayam Taluk
Gobichettipalayam
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WEB COPY



W.P. No.13277 of 2025

M.SUNDAR, J.

and

K. GOVINDARAJAN THILAKAVADI, J.

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W.P. No.13277 of 2025

15.04.2025

Page Nos.6/6