



W.P.No.17863 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 02.06.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**

and

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.No.17863 of 2025

and

W.M.P.No.20084 of 2025

Mottupatti Sri Iyyanarappan Koil

Rep. by its Administrator

Annadurai

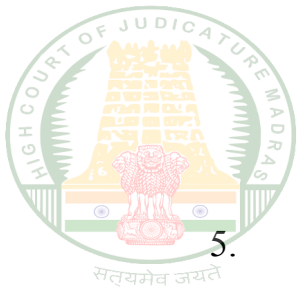
S/o.Murugesan

... Petitioner

vs.

1. The Commissioner of Land Administration
Ezhilagam, Chepauk
Chennai-600 005.
2. The District Collector
Salem District
Salem.
3. The Revenue Divisional Officer
Sankagiri Revenue Division
Salem District.
4. The Tahsildar
Edappadi Taluk
Salem District.

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5. Periyasamy
S/o.Chinnapaiyan
6. Vellaiya Gounder
S/o.Chinnapiya Gounder
7. Murugan
S/o.Marimuthu

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 to 4 to rectify the mistake crept in the A-Register as Odai instead off temple land in respect of land comprised in Survey No.803/7, situate at Siddur Bit-1 Village, Edappadi Taluk, Salem District and to issue patta in favour of the petitioner Temple in light of the communication of the 1st respondent dated 17.03.2025 in Na.Ka.No.K1/977115/2025 within stipulated time.

For Petitioner : Mr.C.Prabakaran
For Respondents : Mr.T.K.Saravanan
Additional Government Pleader
for R1 to R4

ORDER

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

Subject matter of the captioned writ petition is 'S.No.803/7 at Siddur Bit-1 Village, Edappadi Taluk, Salem District' {hereinafter 'said land' for the

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sake of brevity, convenience and clarity}.

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2. Mr.C.Prabakaran, learned counsel on record for writ petitioner very fairly submits that removal of encroachment proceedings were initiated qua said land and the same has now culminated in a statutory appeal dated 04.03.2025 [statutory appeal under Section 10 of 'the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905)' {hereinafter 'said 1905 Act' for the sake of brevity}] with the Appellate Authority. To be noted, R2 [The District Collector, Salem District, Salem] is the Appellate Authority. Learned counsel submits that a stay petition staying the impugned Section 6 order pending appeal has been taken out, the stay petition is under Section 10-B of said 1905 Act and the stay petition is also pending.

3. Notwithstanding the expansive prayer, learned counsel at the hearing, abridged the prayer and limited it to a plea for disposal of the stay petition expeditiously.

4. Issue notice to official respondents.

5. Mr.T.K.Saravanan, learned Additional Government Pleader, accepts notice for R1 to R4 and submits on instructions that the stay petition



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of the writ petitioner i.e., stay petition under Section 10-B of said 1905 Act

qua said land will be disposed of as expeditiously as the business of R2 permits but in any event, within three weeks from today i.e., on or before 23.06.2025. This submission is recorded as an undertaking to the Court.

6. Be that as it may, we make it clear that this order does not touch upon the rights and contentions of private respondents R5 to R7. Therefore, we dispense with notice to R5 to R7 and take up the main writ petition in the Admission Board with the consent of learned counsel for writ petitioner and learned State Counsel.

7. In the light of the abridged prayer that has been made very fairly by learned counsel for writ petitioner, recording the stated position of learned State Counsel that the stay petition vide Section 10-B of said 1905 Act would be disposed of within three weeks from today i.e., on or before 23.06.2025 will suffice. Though obvious, we make it clear that the stay petition will be disposed of on its own merits and in accordance with law and coercive action, if any and if that be so, will be subject to and depending on the outcome of the stay petition.



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8. Captioned Writ Petition is disposed of in the aforesaid manner. As

we have said that the coercive action, if any and if that be so, will be subject to and depending on outcome of the stay petition, captioned Writ Miscellaneous Petition has become otiose and the same is also disposed of as closed. There shall be no order as to costs.

(M.S.J.,)

(H.C.J.,)

02.06.2025

Index : Yes / No

Neutral Citation : Yes / No

Speaking / Non-speaking

mk

To

1. The Commissioner of Land Administration
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Chennai-600 005.
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**M.SUNDAR, J.,
and
HEMANT CHANDANGOUDAR, J.,**

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