



W.P.No.16833 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2025

WEB COPY

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

W.P.No.16833 of 2025 and W.M.P.Nos.19079 & 19081 of 2025

T.Karthikeyan

Petitioner

vs.

1.The District Collector
Nagapattinam
Nagapattinam District

2.The Revenue Divisional Officer
Vedaranyam
Vedaranyam Taluk
Nagapattinam District

3.The Tahsildar
Vedaranyam
Vedaranyam Taluk
Nagapattinam District

4.The Revenue Inspector
Karappampulam
Vedaranyam Taluk
Nagapattinam District

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the 1st respondent to dispose of the appeal preferred by the petitioner on 27.03.2025 against Section 6 notice of the Land Encroachment Act, 1905, issued by the 3rd respondent.

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For petitioner : Mr. K. Venkataramani
Senior Counsel
for Mr. V. Kasinatha Bharathi

For respondents : Mr. K. Suresh
Government Advocate

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 27.03.2025 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 17.03.2025 issued by R3 (Tahsildar) under Section 6 of said 1905 Act.

2. To be noted, R1 (District Collector, Nagapattinam) is the Appellate Authority as regards said statutory appeal. It is also to be noted that subject matter of appeal is the land measuring an extent of 0.04.0 ares of a total extent of 0.19.0 ares in Survey No.463/2 in Thiruvaskulam area, Neyvilakku Village, Vedaranyam Taluk, Nagapattinam District.

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3. Mr. K. Venkataramani, learned Senior Counsel representing Mr. V. Kasinatha Bharathi, 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.

4. Issue notice to respondents for the present.

5. Mr. K. Suresh, learned Government Advocate, 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 23.06.2025.

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.



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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 petitions thereat have become otiose and therefore, the same are 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
cad



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