



WEB COPY



W.P.No.19285 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2025

CORAM

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

W.P.No.19285 of 2025

Marusha

Petitioner

vs.

1. The State of Tamil Nadu
represented by Secretary to Government
Public Works Department
Secretariat, Fort St. George
Chennai 600 009
2. The District Collector
District Collector's Office
Perambalur
Perambalur District
3. The Tahsildar
Taluk Office
Veppanthattai Taluk
Perambalur District
4. Mehurinbi

Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a writ of mandamus directing the third respondent to
implement the order of Perambalur Sub-Collector/Revenue Divisional
Officer dated 20.11.2024 in Na.Ka. A5/3525/2024.

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For petitioner Mr. P.N. George Graham
for M/s. Devadason and Sagar

For RR 1 to 3 Mr. T.K. Saravanan
Addl. Govt. Pleader

ORDER

[made by M.SUNDAR, J.]

Writ petitioner in the captioned matter came to this Court earlier *vide* W.P.No.5582 of 2021 with a removal of encroachment prayer *qua* a representation dated 24.07.2017. This W.P.No.5582 of 2021 came to be disposed of by an Hon'ble Division Bench of this Court in which one of us (M. Sundar, J.) was a member *vide* order dated 19.07.2024 directing the Monitoring Committee to apply G.O. (Ms.) No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022. The Monitoring Committee has conducted an enquiry and made orders dated 20.11.2024 bearing reference Na.Ka A5/3525/2024 (hereinafter 'said order' for the sake of convenience and clarity). Learned counsel for writ petitioner, adverting to said order, submits that said order is yet to be implemented and there is inaction and this has necessitated the captioned writ petition.



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2. Issue notice to official respondents.

3. Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice for official respondents and submits, on instructions, that pursuant to said order, notice under Section 7 of 'the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905)' (for brevity 'said 1905 Act') has been issued to R4 (private respondent-Mehurinbi), there was no response from R4 and thereafter, an order under Section 6 of said 1905 Act has also been made by R3 (Tahsildar). This submission of learned State counsel is recorded.

4. R4, obviously, has a right of appeal *vide* Section 10 of said 1905 Act, if she desires to assail the Section 6 order made by R3. It is made clear that all the rights and contentions of R4 in this regard stand preserved and this order does not touch upon the rights of R4 in any manner. Therefore, we dispense with notice to R4 and take up the captioned writ petition in the Admission Board with the consent of the learned counsel for writ petitioner and learned State counsel.

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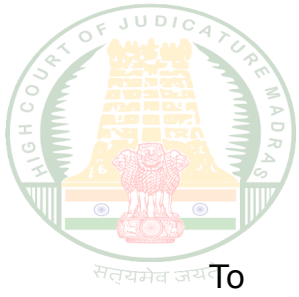
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5. In the light of the narrative thus far, we are of the considered view that it will suffice to record the stated position of the learned State counsel which has been alluded to *supra* and dispose of the captioned writ petition. We do so.

6. Captioned writ petition is disposed of in the aforesaid manner. There shall be no order as to costs.

(M.S.,J.) (H.C.,J.)
04.06.2025

cad



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