



W.P.No.23037 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2025

WEB COPY

CORAM:

THE HONOURABLE MR. JUSTICE M.SUNDAR

and

THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR

W.P.No.23037 of 2025 and W.M.P.No.25877 of 2025

Raman

Petitioner

vs.

1. The Secretary to Government
Revenue Department
Fort St. George
Chennai 600 009
2. The District Collector
District Collectorate
Thirupathur District
3. The Special Tahsildar
Adi Dravidar Welfare Department
Thirupathur Town
Thirupathur District

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the first respondent to conduct enquiry on the petitioner's revision dated 12.02.2025 against order *vide* Na.Ka.K1/788/2024 dated 30.12.2024 issued by the second respondent in respect of the land comprised in Survey No.65/1A measuring to an extent of hectare 0.20.0 ares (Acre 0.50 cents) Kothakatai Village, Vaniyambadi Taluk, Vellore District, now Thirupathur District, within a time frame.

Page Nos.1/6



WEB COPY



W.P.No.23037 of 2025

For petitioner Mr. S. Arivazhagan

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

ORDER

[made by M. SUNDAR, J.]

Captioned main 'writ petition' [hereinafter 'WP' for the sake of brevity] has been filed with a prayer for issue of a writ of mandamus *qua* writ petitioner's statutory revision dated 12.02.2025 under Section 10-A of 'the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905)' [for brevity 'said 1905 Act'] pending with R1 [Secretary to Government, Revenue Department].

2. Mr. S. Arivazhagan, learned counsel for writ petitioner, submits that the statutory revision is directed against an order dated 30.12.2024 made by R2 (District Collector) in the capacity as Appellate Authority *qua* statutory appeal under Section 10 of said 1905 Act. It is pointed out that along with revision, a stay petition under Section 10-B of said 1905 Act has been filed, stay petition is dated 03.02.2025, pending stay petition, writ petitioner is being put under pain of dispossession/demolition.

Page Nos.2/6



W.P.No.23037 of 2025

WEB COPY

3. Issue notice to respondents.

4. Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice for all the three respondents and submits, on instructions that R1 (Revisional Authority) will dispose of the writ petitioner's aforementioned statutory revision dated 12.02.2025 within twelve weeks from today *i.e.*, on or before 18.09.2025. This submission of learned State counsel is recorded as an undertaking given to the Court.

5. Let R1 consider the writ petitioner's aforementioned statutory revision dated 12.02.2025 on its own merits and in accordance with law untrammelled by this order.

6. Be that as it may, as the writ petitioner has taken up a stay petition dated 03.02.2025 under Section 10-B of said 1905 Act and as the same is pending, we make an order by writing that all coercive proceedings (if any and if that be so) shall be kept in abeyance till the disposal of the statutory revision and till service of a



W.P.No.23037 of 2025

copy of the order made by the Revisional Authority on the writ petitioner under due acknowledgment. If the order of the Revisional Authority is in favour of the writ petitioner, that would be curtains on the matter. If the order of the Revisional Authority is adverse to the writ petitioner, it shall be kept in abeyance for a fortnight from the date of service of its service on the writ petitioner so as to enable the writ petitioner to take recourse to judicial review, if so advised or so desired.

7. Captioned main WP stands disposed of in the aforesaid manner. As the imminent threat of dispossession/demolition stands addressed, captioned writ miscellaneous petition has become otiose and the same stands disposed of as closed. There shall be no order as to costs.

(M.S., J.) (H.C., J.)
26.06.2025

cad
Index: Yes/No
N.C. : Yes/No



W.P.No.23037 of 2025

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W.P.No.23037 of 2025

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HEMANT CHANDANGOUDAR, J.

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W.P.No.23037 of 2025

26.06.2025

Page Nos.6/6