



W.P. Nos.27102, 27105, 27107, 27108, 27110, 27603 & 27611 of 2025
and
W.P. SR. Nos.111903, 111904 and 111905 of 2025,

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE M.SUNDAR
and

THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR

W.P. Nos.27102,27105,27107,27108,27110,27603 & 27611 of 2025

W.P. SR. Nos.111903, 111904 and 111905 of 2025

W.M.P.Nos.30397,30399,30400,30402,30404,30924 & 30934 of 2025
and

W.M.P. SR. Nos.111913, 111908 and 111911 of 2025

D. Saravanan	Petitioner in WP No.27102/2025
A. Neduchezhiyan	Petitioner in WP No.27105/2025
S. Vijayakumar	Petitioner in WP No.27107/2025
C. Muniyammal	Petitioner in WP No.27108/2025
P. Kalyanram	Petitioner in WP No.27110/2025
S. Ramalingam	Petitioner in WP No.27603/2025
S. Ezhilamaran	Petitioner in WP No.27611/2025
P. Palani	Petitioner in WPSRNo.111905/2025
K. Sivakumar	Petitioner in WPSRNo.111903/2025
G. Yasotha	Petitioner in WPSRNo.111904/2025

vs.

1. The District Collector
Vengikkal, Tiruvannamalai
Tiruvannamalai District
2. The Revenue Divisional Officer
Revenue Divisional Office
Ring Road Link
Arani, Tiruvannamalai District
3. The Tahsildar
Polur Taluk Office, Polur
Tiruvannamalai District
4. R. Seenuvasan

Respondents in all WPs



W.P. Nos.27102, 27105, 27107, 27108, 27110, 27603 & 27611 of 2025
and
W.P. SR. Nos.111903, 111904 and 111905 of 2025,

WEB COPY

Writ Petitions filed under Article 226 of the Constitution of India

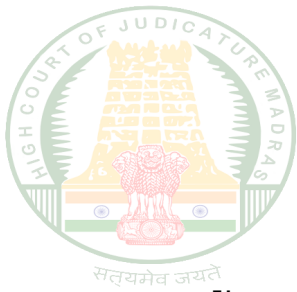
seeking a writ of mandamus directing the second respondent to take up the petitioners' appeals dated 07.04.2025 under Section 10 of the Tamil Nadu Land Encroachment Act, 1905 and the stay petitions filed under Section 10-B of the Tamil Nadu Land Encroachment Act, 1905 and dispose of the same on merits and in accordance with law after affording an opportunity of personal hearing to the petitioners.

For petitioners Ms. Karthikaa Ashok
in all WPs

COMMON ORDER

[made by M.SUNDAR, J.]

After some arguments, Ms. Karthikaa Ashok, learned counsel on record for writ petitioners, sought leave of this Court to withdraw the captioned 'writ petitions' [hereinafter 'WPs' for the sake of brevity] (both numbered and at SR stage) and captioned 'writ miscellaneous petitions' [hereinafter 'WMPs' for the sake of brevity] (both numbered and at SR stage) thereat but made a plea to preserve all the rights and contentions of writ petitioners to file statutory appeals before R1 (District Collector) *i.e.*, statutory appeals under Section 10 of 'the Tamil Nadu Land Encroachment Act, 1905 (Act III of 1905)'



W.P. Nos.27102, 27105, 27107, 27108, 27110, 27603 & 27611 of 2025
and
W.P. SR. Nos.111903, 111904 and 111905 of 2025,

[hereinafter 'the said 1905 Act'] assailing the orders made by R3 (Tahsildar) being orders dated 01.04.2025 in exercise of powers under Section 6 of said 1905 Act. A scanned reproduction of the endorsements made by learned counsel in case files is as follows:

Endorsement in W.P.No.27102 of 2025:

I may be permitted
to withdraw the
W.P.No. 27102 of 2025
and WMP.No. 30397 of 2025
with a liberty to file
an Appeal ^{along with the stay petition.} before the
Authority under sec 10 of
Act 1905 with a delay
petition.
Karthi/MS no 195/2001
Counsel for the
petitioner.
23/7/2025

Endorsement in W.P.No.27105 of 2025:

I may be permitted
to withdraw the
W.P.No. 27105 of 2025
and WMP.No. 30399 of 2025
with a liberty to file an
Appeal along with stay petition
before the Authority under
sec 10 of Act 1905 with a
delay petition.
Karthi/MS no 195/2001
counsel for the petitioner.
23/7/2025



W.P. Nos.27102, 27105, 27107, 27108, 27110, 27603 & 27611 of 2025
and
W.P. SR. Nos.111903, 111904 and 111905 of 2025,

WEB COPY

Endorsement in W.P.No.27107 of 2025:

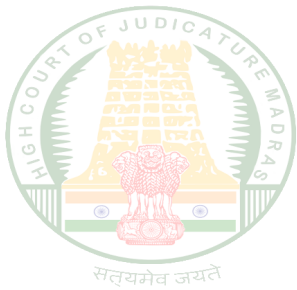
I may be permitted to
withdraw the wp 27107 of 2025
and wp 30400/25 with
a liberty to file an App
along with stay petition before
the Authority under Sec-10 of
Act 1905 with a delay petition

Karthi MS/95/2001
Court for the
petition
23/7/2025

Endorsement in W.P.No.27108 of 2025:

I may be permitted to
withdraw the w.p. no. 27108
of 2025 and w.m.p no 20402/2025
with a liberty to file an Appeal
along with the stay petition.
before the Authority under
Sec. 10 of the 1905 Act
with a delay petition.

Karthi
MS no 195/2001
Court for the
petition
23/7/2025.



W.P. Nos.27102, 27105, 27107, 27108, 27110, 27603 & 27611 of 2025
and
W.P. SR. Nos.111903, 111904 and 111905 of 2025,

Endorsement in W.P.No.27110 of 2025:

I may be permitted to
withdraw the wp 27110 of 2025
and wp 30404/25 with
a liberty to file an appeal
along with stay petition before
the Authority under Sec-10 of
Act 1905 with a delay petition

Karthy MS195/2001
Court for Petition
23/7/2025

Endorsement in W.P.No.27603 of 2025:

I may be permitted
to withdraw the
wp no 112153
wp no 27603 of 2025
and wp no 30924/2025
with a liberty to file
an Appeal before the
Authority under Sec
10 of the Act 1905,
along with the
stay petition and the
Ordinary delay petition.

Karthy
MS no 195/2001
Court for the
petition.
23/7/2025.



W.P. Nos.27102, 27105, 27107, 27108, 27110, 27603 & 27611 of 2025
and
W.P. SR. Nos.111903, 111904 and 111905 of 2025,

WEB COPY

Endorsement in W.P.No.27611 of 2025:

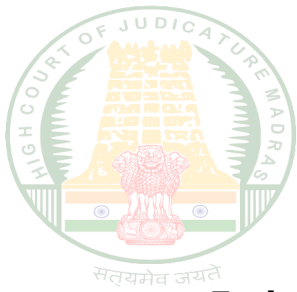
I may be permitted to withdraw
the w.p. no 27611/25 and wpmp. 30934/2025
with a liberty to file an appeal
before the authority under sec 10
of the Act 1905 along with the
stay petition and condone delay
petition.

Karthik
ms no 195/2001
Counsel for petitioner.
23/7/2025

Endorsement in W.P. SR. No.111905 of 2025:

I may be permitted to
withdraw the w.p. no. SR.
111905 and wpmp no.
SR. 111913 with a
liberty to file an
Appeal before the
Authority under sec
10 of the Act 1905
along with the stay
petition and condone
delay petition

Karthik
ms no 195/2001.
Counsel for the
petitioner.
23/7/2025.



W.P. Nos.27102, 27105, 27107, 27108, 27110, 27603 & 27611 of 2025
and
W.P. SR. Nos.111903, 111904 and 111905 of 2025,

Endorsement in W.P. SR. No.111904 of 2025:

I may be permitted to
withdraw the WP SR. NO. 111904
and WMP SR. NO. 111911
with a liberty to
file an Appeal before the
Authority, under section 10 of
the Act 1905 along with
the stay petition and condone
delay petition

Kalbh
MS. NO. 195/2001
Counsel for petitioner
23/7/2025

P

Endorsement in W.P. SR. No.111903 of 2025:

I may be permitted to
withdraw the W.P. SR.
111903 and comp. no.
S.R. 111908 with a
liberty to file an
appeal before the authority
under Sec 10 of the Act
1905 along with the stay
petition and condone
delay petition

Kalbh
MS. NO. 195/2001
Counsel for petitioner
23/7/2025



W.P. Nos.27102, 27105, 27107, 27108, 27110, 27603 & 27611 of 2025
and
W.P. SR. Nos.111903, 111904 and 111905 of 2025,

WEB COPY

This request of learned counsel is acceded to.

2. Before we write the operative portion of this common order, for the sake of specificity, we clarify that the need to withdraw the captioned WPs (both numbered and at SR stage) and captioned WMPs thereat (both numbered and at SR stage) arose as the statutory appeals [said to be dated 07.04.2025 and said to have been received by R2 (Revenue Divisional Officer) on 08.04.2025] have been filed before R2 who is not the appellate authority under Section 10(a) of said 1905 Act.

3. Be that as it may, if the writ petitioners choose to file statutory appeals (along with stay petitions under Section 10-B of said 1905 Act) in the manner set out in the opening paragraph, the time spent before wrong fora *i.e.*, R2 and this Court, will stand excluded for computing limitation within the meaning of Section 11(1) of said 1905 Act by application of the limitation principle underpinning the Limitation Act, 1963.



W.P. Nos.27102, 27105, 27107, 27108, 27110, 27603 & 27611 of 2025
and
W.P. SR. Nos.111903, 111904 and 111905 of 2025,

WEB COPY

4. For the sake of further specificity, we make it clear that if appeals and stay petitions in the aforesaid manner are filed before R1, the same shall be considered by R1 on their own merits and in accordance with law untrammelled by the withdrawal of the captioned WPs (both numbered and at SR stage) and WMPs (both numbered and at SR stage) thereat.

5. In the light of the narrative thus far, captioned WPs (both numbered and at SR stage) and captioned WMPs (both numbered and at SR stage) thereat are disposed of as closed/withdrawn, without expressing any view or opinion on the merits of the matter but with preservation of rights in the aforesaid manner and aforereferred observations. There shall be no order as to costs.

(M.S., J.) (H.C., J.)
23.07.2025

cad



WEB COPY



W.P. Nos.27102, 27105, 27107, 27108, 27110, 27603 & 27611 of 2025
and
W.P. SR. Nos.111903, 111904 and 111905 of 2025,

M.SUNDAR, J.

and

HEMANT CHANDANGOUDAR, J.

cad

To

- 1 The District Collector
Vengikkal
Tiruvannamalai
Tiruvannamalai District
2. The Revenue Divisional Officer
Revenue Divisional Office
Ring Road Link
Arani
Tiruvannamalai District
3. The Tahsildar
Polur Taluk Office
Polur
Tiruvannamalai District

Common order in
W.P. Nos.27102, 27105, 27107, 27108,
27110, 27603 & 27611 of 2025
and
W.P. SR. Nos.111903, 111904 and 111905 of 2025

23.07.2025