



W.P.No.27199 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 22.07.2025

CORAM

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

W.P.No.27199 of 2025

Gurusamy
S/o.Gurusamy Gounder

... Petitioner

VS.

1. The District Collector
Office of the District Collector
Erode District.
2. The Revenue Divisional officer
Gobichettipalayam
Erode District.
3. The Tahsildar
Anthiyur Taluk
Erode District.
4. The Revenue Inspector
Anthiyur Taluk
Erode District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus, to direct the 1st respondent herein to dispose of the stay petition filed along with the appeal dated 19.06.2025, filed by the



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petitioner under Section 10-B of the Tamil Nadu Land Encroachment Act, 1905, challenging the order dated 06.06.2025 passed by the 3rd respondent herein on merits as expeditiously as possible, within a time frame.

For Petitioner : Mr.R.Vivek
For Respondents : Mr.T.K.Saravanan
Additional Government Pleader

ORDER

[Order of the Court was 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* stay petition filed along with the appeal dated 19.06.2025 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 order / notice dated 06.06.2025 issued by R3 [the Tahsildar, Anthiyur Taluk, Erode District] under Section 6 of said 1905 Act.

2. To be noted, R1 (District Collector, Erode District) is the Appellate Authority as regards said statutory appeal.

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3. Mr.R.Vivek, 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.

5. Mr.T.K.Saravanan, learned Additional Government Pleader, accepts notice for the respondents.

6. Owing to the limited scope of captioned WP, with the consent of learned counsel on both sides, captioned WP was taken up in the Admission Board.

7. Learned State Counsel submits that the afore-referred stay petition will be disposed of by R1 within a period of three weeks from today *i.e.*, on or before 12.08.2025.



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8. 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.

9. Captioned WP stands disposed of in the aforesaid manner by recording the aforesaid submission made by learned State counsel. There shall be no order as to costs.

(M.S.J.,)

(H.C.J.,)

22.07.2025

Index : Yes / No

Neutral Citation : Yes / No

Speaking / Non-speaking

mk

To

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**M.SUNDAR, J.,
and
HEMANT CHANDANGOUDAR, J.,**

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