



W.P. No.31637 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 20.08.2025

CORAM:

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

W.P.No.31637 of 2025 and W.M.P.No.35440 of 2025

Roja Amma

... Petitioner

vs.

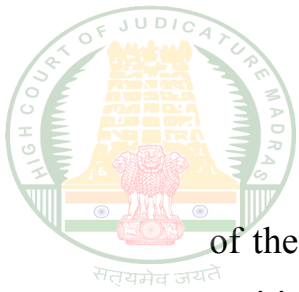
1. The Revisional Authority(cum)
Additional Chief Secretary to Government
Revenue and Disaster Management Department
Secretariat, Chennai - 600 009

2. The District Collector / Appellate Authority
Chennai District, Singaravellar Maligai
Rajaji Salai, Chennai - 600 001

3. The Assistant Executive Engineer
Public Works Department
Coovam Drainage Sub Division
Chepauk, Chennai - 600 005

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus forbearing the third respondent from vacating the petitioner in pursuance of the eviction notice dated 13.08.2025 till the 1st respondent dispose of the stay petition dated 14.08.2025 under Section 10-B



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of the Tamil Nadu Land Encroachment Act, 1905 filed in statutory revision petition dated 14.08.2025 under Section 10-A of the Tamil Nadu Land Encroachment Act, 1905.

For petitioner : Mr. K.Sakthivel
For Respondents : Mr.K.Suresh
Government Advocate

ORDER

[Order of the Court was made by M.SUNDAR, J.]

Mr.K.Sakthivel, learned counsel for writ petitioner submits that pending statutory revision under Section 10-A and a stay petition under Section 10-B of 'the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905)' {hereinafter 'said 1905 Act' for the sake of brevity}, the writ petitioner is under pain of dispossession owing to notice dated 13.08.2025 issued by the third respondent [Assistant Executive Engineer, Public Works Department, Coovam Drainage Sub Division, Chepauk, Chennai].



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2. Issue notice.

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3. Mr.K.Suresh, learned Government Advocate accepts notice for all three respondents and submits that the stay petition of the writ petitioner being a petition under Section 10-B of said 1905 Act (to be noted, stay petition dated 14.08.2025) will be disposed of by R1 (Revisional Authority) within four weeks from today i.e., on or before 17.09.2025.

4. This Court makes it clear that the order of R1 (Revisional Authority) in the stay petition shall be communicated to the writ petitioner under due acknowledgment within seven working days from the date of the order.

5. Coercive action, if any and if that be so qua subject land, be it pursuant to afore-referred 13.08.2025 notice of R3 or in any other manner by any other authority shall be subject to and depending on the outcome of the stay petition i.e., orders in the stay petition to be made by R1 (Revisional Authority).



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(M.S., J.) (H.C., J.)
20.08.2025

Index : Yes/No
NC : Yes/No
gpa

To

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HEMANT CHANDANGOUDAR, J.

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