



WP No. 39273 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-10-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE S. SOUNTHAR

WP No. 39273 of 2025

A.Chokkan @ Chokalingam
S/o. Elachi Goundar, Door No.5/110, Nadupatti
Village, Harur Taluk, Dharmapuri District.

..Petitioner

Vs

1. The District Collector
Dharmapuri, Dharmapuri District.
2. The Revenue Divisional Officer
Morappur, Harur Taluk, Dharmapuri District.
3. The Revenue Inspector,
Morappur, Harur Taluk, Dharmapuri District.
4. The Thasildar
Harur Taluk, Dharmapuri District.
5. The Firka Surveyor
Harur Taluk, Dharmapuri District.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to dispose of the statutory appeal along with the stay petition dated 25.08.2025 filed by the



WP No. 39273 of 2025

petitioner under Section 10 and 10-A of the Tamil Nadu Land Encroachment Act, 1905 in accordance with law and within a stipulated period.

For Petitioner : Mr.D.Nandhagopal

For Respondents : Mr.E.Vijay Anand,
Additional Government Pleader

Order

(Order of the Court was made by R.Suresh Kumar J.)

The prayer sought for herein is for a Writ of Mandamus directing the 1st respondent to dispose of the statutory appeal along with the stay petition dated 25.08.2025 filed by the petitioner under Section 10 and 10-A of the Tamil Nadu Land Encroachment Act, 1905 in accordance with law and within a stipulated period.

2. As against the order passed by the revenue authorities under Section 6 of the Land Encroachment Act (Act 3 of 1905), the petitioner already approached this Court and filed a writ petition in W.P.No.29055 of 2025. The same was disposed of by an earlier Division Bench by order dated 05.08.2025, directing the petitioner to file an appeal under Section 10 of the said Act before the appellate authority viz., the District Collector.



WP No. 39273 of 2025

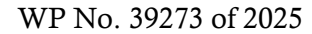
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3. Pursuant to the said order, an appeal has been filed on 25.08.2025 by the petitioner before the first respondent / District Collector, before whom the said appeal is still pending and in order to dispose the said appeal on merits by the appellate authority / District Collector, the petitioner has filed the present writ petition.

4. Heard Mr.D.Nandhagopal, learned counsel for the petitioner and Mr.E.Vijay Anand, learned Additional Government Pleader for the respondents.

5. Learned Additional Government Pleader would submit that, the appeal pending before the first respondent being the appellate authority would be decided on merits after giving an opportunity of being heard to the petitioner / appellant in the appeal before the first respondent, within a time frame that may be stipulated by this Court.

6. Having regard to the said submission, this Court is inclined to dispose of this writ petition with the following order:



7. With the above directions, this writ petition is disposed of. No costs.

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WP No. 39273 of 2025

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- To
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WP No. 39273 of 2025

**R.SURESH KUMAR J.
AND
S.SOUNTHAR J.**

KST

WP No. 39273 of 2025

22-10-2025

Page 6 of 6