



WP(MD). No.6085 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 06/03/2025

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MRS.JUSTICE S.SRIMATHY

WP(MD). No.6085 of 2025
and WMP(MD) No.4471 of 2025

S.Ruthrakshamani

... Petitioner

Vs

1. The State of Tamil Nadu,
The District Collector,
Ramanathapuram District,
Ramanathapuram.

2. The Tahsildhar,
Rajasingamangalam Taluk,
Rajasingamangalam,
Ramanathapuram District.

3. The Special Officer Cum BDO,
Sethidal Group Village Panchayat,
R.S.Mangalam Taluk,
Ramanathapuram District.

4. R.Duraipandi

... Respondents



WP(MD). No.6085 of 2025

WEB COPY

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to dispose of the Appeal dated 24.01.2025 preferred under Section 10 of the Tamil Nadu Land Encroachment Act, 1905 (Amended Act, 1975) within the time frame as fixed by this Court.

For Petitioner : Mr.P.M.Vishnuvarthanan

For Respondents : Mr.S.S.Madhavan for R1 to R3
Additional Government pleader
Mr.V.Panneerselvam for R4

ORDER

(Order of the Court was made by J.NISHA BANU, J.)

The writ petition has been filed for a direction to the respondents to dispose of the appeal dated 24.01.2025 preferred under Section 10 of the Tamil Nadu Land Encroachment Act, 1905 (Amended Act, 1975) within the time frame as fixed by this Court.

2. By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.



WP(MD). No.6085 of 2025

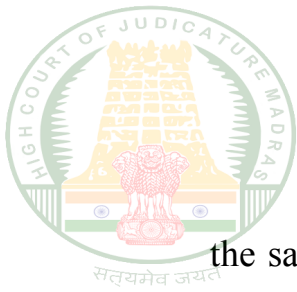
3. The petitioner is the owner of the property in S.No.376/19.

While so, the 4th respondent has preferred a complaint before the official respondents stating that the petitioner has encroached upon the street and filed a writ petition in WP(MD) No.23642/2024 and this Court on 03.10.2024 disposed of the writ petition with a direction as follows:

“3. Mr.P.T.Thiraviyam, learned Government Advocate appearing for the respondents 1 and 2 would submit that the second respondent has arranged for a survey to find out whether there is an encroachment or not. Once the survey is completed, appropriate action will be taken. The report of the Village Administrative Officer addressed to the Tahsildar has also been placed before us.

4. In view of the same, the Writ Petition is disposed of with the direction to the second respondent to conduct a survey and take appropriate action within a period of eight weeks from the date of receipt of a copy of this order. No costs.”

4. Pursuant to the said order, the 2nd respondent has issued an eviction notice under Section 7 of the Act to the petitioner on 02.01.2025. Against which, the petitioner has filed an appeal. However,



WP(MD). No.6085 of 2025

the said appeal has not been disposed of so far. Hence, the petitioner is before this Court with this writ petition.

5. Considering the submissions made by the learned counsel for the petitioner and without advertng to the merits of the matter, the 1st respondent is directed to dispose of the appeal dated 25.01.2025 preferred by the petitioner within a period of twelve weeks from the date of receipt of a copy of this order. Till such time, the respondents shall not take any coercive action.

6. The writ petition is disposed of with the above direction. No costs.

[J.N.B.,J]

[S.S.Y.,J]

06.03.2025

NCC : Yes/No

Index : Yes/No

RR



WP(MD). No.6085 of 2025

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WP(MD). No.6085 of 2025

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ORDER
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