



WP(MD). No.7028 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 14/03/2025

CORAM

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

**WP(MD). No.7028 of 2025
and WMP(MD) Nos.5299 and 5302 of 2025**

D.Jeyaraman

... Petitioner

v.

1. The District Collector,
Madurai, Madurai District..

2. The Revenue Tahsildar,
Peraiyur, Madurai District..

3. The Revenue Inspector,
Sedapatti Sub-Division, Peraiyur,
Madurai District..

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records relating to impugned proceedings in Na.Ka.No. 4383/2024/C2 dated 06.03.2025 of the 2nd respondent herein and the consequential impugned order in Na.Ka.No. 4383/2024/C2 dated 10.03.2025 of the 2nd respondent herein and quash the same.

For Petitioner : Mr.T.Ponramkumar

For Respondents : Mr.M.Sarangan

Additional Government Pleader



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ORDER

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

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

2. This writ petition has been filed challenging the impugned proceedings of the 2nd respondent dated 06.03.2025 and the consequential order dated 10.03.2025.

3. The brief facts of the case are as under:-

3.1. On the premise that the petitioner is an encroacher, the 2nd respondent has given a notice, dated 10.01.2025 under Section 7 of the Tamil Nadu Land Encroachment Act to the petitioner. For the said show cause notice, reply was given by the petitioner on 17.01.2025. However, the reply given by the petitioner came to be rejected by the second respondent vide proceedings in Na.Ka.No.4383/2024/C2 dated 06.03.2025.

3.2. Subsequently an eviction notice under Section 6 of the Land Encroachment Act was served on the petitioner on 10.03.2025, directing

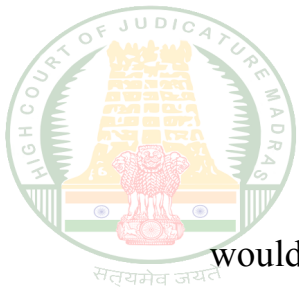


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the petitioner to remove the alleged encroachment within a period of three days from the date of receipt of the said order. Immediately, the petitioner has filed an appeal before the first respondent on 12.03.2025 and also a stay petition was filed on 13.03.2025. It is the grievance of the petitioner that on 12.03.2025, some officials of the respondent office have approached the petitioner and instructed him to vacate the premises for carrying out the demolition process. Aggrieved against the said action, the petitioner, left with no other option, is before this Court with the present writ petition.

4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents and perused the materials placed before this Court

5. Perusal of the records would reveal that the petitioner has preferred an appeal on 12.03.2025 before the first respondent against the notice issued under Section 6 of the Land Encroachment Act, dated 10.03.2025. Though the prayer sought for in the writ petition is for a larger relief, the learned counsel for the petitioner submitted that it



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would be suffice to direct the first respondent to dispose of the appeal filed by the petitioner on 12.03.2025 within a stipulated time as may be fixed by this Court.

6. Considering the submissions made by the learned counsel for the petitioner, this Court directs the 1st respondent to dispose of the appeal, dated 12.03.2025 preferred by the petitioner within a period of twelve(12) weeks from the date of receipt of a copy of this order. Since the petitioner has also preferred a stay of the impugned notice on 13.03.2025, it is made clear that until the disposal of the stay application, there shall be an order of stay of the eviction proceedings dated 10.03.2025.

7. With the above observations and directions, the Writ Petition is disposed of. No costs. Consequently connected Miscellaneous Petitions are closed.

[J.N.B.,J]

[S.S.Y.,J]

14.03.2025

NCC : Yes/No

Index : Yes/No

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