

W.P(MD)No.7783 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.7783 of 2025
and
W.M.P.(MD) Nos.5899 & 5900 of 2025**

S. Bharathalwar

... Petitioner

Vs

1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.



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3. The Tahsildar,

Sivakasi Taluk,

Virudhunagar 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 pertaining to the impugned order passed by the 3rd respondent vide his proceedings Na.Ka.Aa1/4426/2019 dated 17.10.2024 and the consequential order passed by the 1st respondent vide his proceedings Na.Ka.G2/L-100/2024 dated 05.03.2025 in the appeal and quash the same as illegal.

For Petitioner : Mr.T.Leninkumar,

For Respondents : Mr.S.P.Maharajan
Special Government Pleader



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ORDER

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

This writ petition has been instituted to quash the impugned order passed by the third respondent in proceedings Na.Ka.Aa1/4426/2019 dated 17.10.2024 and the consequential order passed by the first respondent in proceedings Na.Ka.G2/L-100/2024, dated 05.03.2025 in the appeal.

2.Admittedly, under the provision of Tamil Nadu Land Encroachment Act, a notice under Section 7 was issued and on receipt of explanation from the encroacher, the order under Section 6 of the Act was passed. An appeal under Section 10 of the Act filed by the petitioner was rejected. Thereafter, the petitioner preferred a revision before the Government. The revision before the Government is pending. Therefore, the present writ petition is not maintainable.

3.The learned Counsel for the petitioner states that during the pendency of the revision petition, the authorities are initiating action to evict the petitioner.



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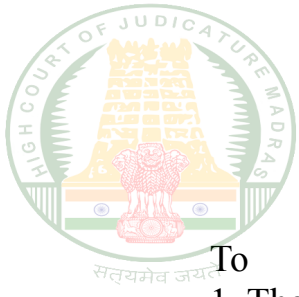
4.If so, the petitioner is at liberty to move an interlocutory application under the Tamil Nadu Land Encroachment Act in the pending revision petition seeking interim order and such application should also be considered on merits and in accordance with law. The Government is empowered to pass an interim order under Section 10(B) of the Tamil Nadu Land Encroachment Act.

5.With the said liberty, this writ petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

[S.M.S., J.] [A.D.M.C., J.]
11.06.2025

Index: Yes/No
Internet: Yes/No
NCC: Yes/No

LR



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S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

LR

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