



WP(MD). No.7741 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 24/03/2025

CORAM

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

WP(MD). No.7741 of 2025
and WMP(MD) No.5868 of 2025

Anguraj

... Petitioner

Vs

1. The District Collector,
Collectorate,
Tenkasi District..

2. The Revenue Divisional Officer,
Sangarankovil Taluk,
Tenkasi District..

3. The Tahsildar,
Taluk Office,
Sivagiri Taluk,
Tenkasi District..

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the respondents from dispossessing the petitioner in SF.No.1537/6 of Naranapuram Part-1 Village, Sivagiri Taluk, Tenkasi District till the



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disposal of the appeal petition dated 12.03.2025 pending before the 1st respondent

For Petitioner : Mr.R.Paranjothi

For Respondents : Mrs.D.Farjana Ghoushia
Special Government Pleader

ORDER

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

The writ petition has been filed for a Mandamus forbearing the respondents from dispossessing the petitioner in SF.No.1537/6 of Naranapuram Part-1 Village, Sivagiri Taluk, Tenkasi District till the disposal of the appeal petition dated 12.03.2025 pending before the 1st respondent.

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

3. The learned counsel for the petitioner would state that alleging that the petitioner has encroached the Government land in the aforesaid survey number, show cause notice under Section 7 of the Land Encroachment Act was issued to the petitioner by the Revenue Inspector

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on 21.02.2025, and the petitioner has submitted his explanation on 03.03.2025. However, without considering the same, eviction notice has been issued on 10.03.2025, against which, the petitioner has also preferred an appeal before the first respondent and the same is pending. Since the petitioner is in prolonged possession in S.No.1537/6, the learned counsel for the petitioner prays for interim protection till the disposal of the appeal.

4. We have heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.

5. Since the appeal filed by the petitioner against the eviction notice is pending before the first respondent, ends of justice would be met by directing the first respondent to dispose of the same within a time frame. Along with the appeal, the petitioner has also filed a stay petition under Section 10(b) of the Act. Therefore, the first respondent is directed to dispose of the appeal within a period of twelve weeks from the date of receipt of a copy of this order. Until then, the petitioner's possession need not be disturbed.



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6. With the above direction, the writ petition is disposed of. No costs. Consequently connected Miscellaneous Petition is closed.

[J.N.B.,J]

[S.S.Y.,J]

24.03.2025

NCC : Yes/No

Index : Yes/No

RR

To

1. The District Collector,
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2. The Revenue Divisional Officer,
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Tenkasi District..

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Taluk Office,
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ORDER
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