



W.P.(MD) No.12219 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.04.2025

CORAM:

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

AND

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.P.(MD)No.12219 of 2025

and

W.M.P.(MD)No.8981 of 2025

- 1.R.Muniyasamy
- 2.S.Sekar
- 3.S.Selvam
- 4.T.Jeyaseelan
- 5.K.Abdul Wahab
- 6.M.Ahamed Julbihar
- 7.R.Senthilkumar
- 8.R.Ramakrishnan

... Petitioners

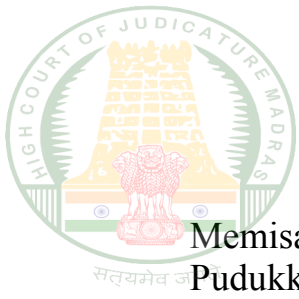
-Vs-

1.The District Collector,
O/o. The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
Taluk Office,
Avudaiyarkovil Taluk,
Pudukkottai District.

3.The Revenue Inspector,
O/o.The Revenue Inspector,

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Memisal Firka, Avudaiyarkovil Taluk,
Pudukkottai District.

... Respondents

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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to forbear the 2nd respondent from in anyway dispossessing the petitioners during the pendency of the appeal dated 22.04.2025 filed before the 1st respondent and consequently, to direct the 1st respondent to dispose of the appeal dated 22.04.2025 within the stipulated period that may be fixed by this Court.

For Petitioners : Mr.H.Mohammed Imran,
for M/s.Ajmal Associates

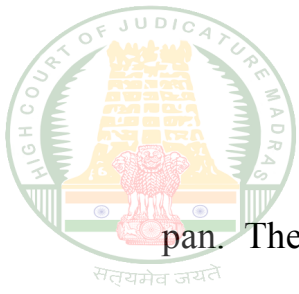
For Respondents : Mrs.D.Farjana Ghoushia,
Special Government Pleader

ORDER

[Order of the Court was made by *J.NISHA BANU, J.*]

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.It is the case of the petitioners that they are in possession and enjoyment of the land in Survey No.63/1, Nattanipurasakudi Village, Avudaiyarkovil Taluk, Pudukkottai District. The said property was used as a salt pan and due to Gaja Cyclone, the land in question was unable to be used as a salt



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pan. Therefore, the Fisheries Department sanctioned amount to construct building in the land in question and vide proceedings dated 14.06.2021, a shed was constructed by the Fisheries Department under the Gaja Cyclone Reconstruction, Rehabilitation and Rejuvenation Project (GRRRP). Thereafter, the petitioners have also sent a representation dated 27.01.2025 to the 2nd respondent, seeking issuance of patta and the same is still pending for consideration.

3. When the matter stood thus, the petitioners were served with a show cause notice on 05.03.2025 under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as 'the Act'). Challenging the same, the petitioners filed W.P.(MD)Nos.7583 to 7596 of 2025, wherein this Court, vide order dated 19.03.2025, directed the petitioners to appear before the 3rd respondent on 24.03.2025 with all relevant documents and on such appearance, the 3rd respondent was directed to conduct enquiry and pass appropriate order under Section 6 of the Act.

4. Pursuant to the said direction, the petitioners appeared before the authorities on 24.03.2025 and thereafter, the 2nd respondent, vide proceedings dated 04.04.2025, passed common order, stating that there is an encroachment in Survey Nos.63/1 and 54. Challenging the same, the petitioners filed an appeal



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before the 1st respondent under Section 10 of the Act along with stay application under Section 10B of the Act. Since the same has not been considered so far, they have filed this Writ Petition to forbear the 2nd respondent from in anyway dispossessing the petitioners during the pendency of the appeal dated 22.04.2025 filed before the 1st respondent and to direct the 1st respondent to dispose of the appeal dated 22.04.2025 within the stipulated period that may be fixed by this Court.

5.Mrs.D.Farjana Ghoushia, learned Special Government Pleader takes notice for the respondents and submits that the appeal filed by the petitioner would be disposed of within a stipulated period.

6.Considering the submission made by the learned counsel on either side, we direct the 1st respondent to dispose of the stay application within a period of two weeks from the date of receipt of a copy of this order and also dispose of the appeal filed by the petitioner within a period of five months from the date of receipt of a copy of this order. Till such time, the respondents are directed not to take any coercive action against the petitioners.



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7. With the above direction, this Writ Petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

[J.N.B., J.] & [S.S.Y., J.]
25.04.2025
(2/2)

NCC : Yes / No
Index : Yes / No

Yuva

To

1. The District Collector,
O/o. The District Collector,
Pudukkottai District,
Pudukkottai.
2. The Tahsildar,
Taluk Office,
Avudaiyarkovil Taluk,
Pudukkottai District.
3. The Revenue Inspector,
O/o. The Revenue Inspector,
Memisal Firka, Avudaiyarkovil Taluk,
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