



W.P.(MD)No.31688 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 07.11.2025

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND

THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

W.P.(MD)No.31688 of 2025
& WMP(MD)No.24861 of 2025

Anjalai

... Petitioner

/Vs./

1. The District Collector,
Collectorate,
Pudukkottai District.
2. The Revenue Divisional Officer,
Pudukkottai,
Pudukkottai District.
3. The Tahsildar,
Taluk Office,
Karambakudi,
Pudukkottai District.
4. Block Development Officer,
Karambakudi,
Pudukkottai District.
5. The Sub Inspector of Police,
Vadakadu Police Station,
Alankudi, Pudukkottai District.

... Respondents



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PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to kept the abeyance in respect of eviction proceedings as against the petitioner and his family in the SF No.273/1 of Karuvadaitheru Village, Karambakudi Taluk, Pudukkottai District till the disposal of the appeal pending before the 1st respondent as well as final adjudication of civil suit in OS No.155/2025 on the file of Sub Court Pudukkottai.

For Petitioner : Mr.A.Aruljenifer
For Respondents : Mr.D.Sadiq Raja (R1 to R3)
Additional Government Pleader
Mr.M.Sarangan (R4)
Additional Government Pleader
Mr.M.Karunanithi (R5)
Government Advocate

ORDER

(Order of the Court was made by **DR.ANITA SUMANTH, J.**)

The petitioner seeks a mandamus directing the third respondent, ie., the Tahsildar, Karambakudi, Pudukkottai District, to keep in abeyance the eviction proceedings in respect of SF No.273/1, Karuvadaitheru Village, Karambakudi Taluk, Pudukkottai District till the



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disposal of the appeal pending before the District Collector, Pudukkottai District / R1 and final adjudication of the civil suit in OS No.155/2025 pending on the file of Sub Court Pudukkottai.

2. We are totally disinclined to consider such a prayer. The petitioner has infact moved R1 as against an order under Section 6 of the Tamil Nadu Land Encroachment Act 1905, ('Act') which is dated 05.06.2025.

3. Mr.D.Sadiq Raja, learned Additional Government Pleader, who accepts notice for R1 to R3 points out that what has been filed before R1 appears only to be a representation, not an appeal per se.

4. However, we direct District Collector, Pudukkottai District / R1 to treat the representation dated 22.05.2025 (pages 89 to 93 of typed set accompanying the writ affidavit) as an appeal instituted under section 10A of the Act. The petitioner is also at liberty, if he so desires, to move for interim protection there.

5. In light of the aforesaid position and though we are tempted to impose terms on the petitioner for the wide prayer sought before us, despite pendency of litigation before the civil court as well as the District



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Collector, we desist and merely dismiss this writ petition. No costs.

Connected miscellaneous petition is closed.

[A.S.M.J.] & [C.K.J.]
07.11.2025

NCC :Yes/No
Index :Yes/No



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DR.ANITA SUMANTH, J.
AND
C.KUMARAPPAN, J.

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Dated:
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