



W.P.(MD)No.33139 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.11.2025**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

W.P.(MD)No.33139 of 2025

M.Alagarraja

... Petitioner

Vs.

1.The District Collector/Monitoring Committee,
Office of the District Collector,
Theni, Theni District.

2.The Tahsildar,
Uthamapalayam Taluk Office,
Uthamapalayam Taluk,
Theni District.

3.The Block Development Officer (Village Panchayat),
Uthamapalayam Panchayat,
Uthamapalayam Panchayat Office,
Uthamapalayam Taluk,
Theni District.

4.A.Pramaraj

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to

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conclude the enquiry as per the order of this Court in WP(MD)No.7674 of 2025 by its order dated 23.04.2025 as per the representation dated 07.05.2025.

For Petitioner : Mr.M.A.M.Raja
For Respondents : Mr.J.Ashok (R1 & R2)
Additional Government Pleader
: Mr.D.Sadiq Raja (R3)
Additional Government Pleader

ORDER

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

Mr.J.Ashok, learned Additional Government Pleader accepts notice for R1 & R2 and Mr.D.Sadiq Raja, learned Additional Government Pleader accepts notice for R3.

2. Notice to R4 is dispensed with in this writ petition, in light of the order in the paragraphs to follow.

3. The prayer of the petitioner is for a mandamus directing the District Collector /Monitoring Committee, Theni, to complete enquiry as per order of this Court in WP(MD)No.7674 of 2025 dated 23.04.2025.



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4. The petitioner is aggrieved by certain encroachments alleged to have been made by R4.

5. WP(MD)No.7674 of 2025 had been filed by the present R4 seeking intervention of notice dated 04.03.2025 issued by the Tahsildar, Uthamapalayam Taluk, in terms of the proceedings of the Tamil Nadu Land Encroachment Act, 1905 ('Act').

6. That writ petition came to be dismissed on 23.04.2025. The Court noted that the proceedings dated 04.03.2025, an eviction order, were already under challenge before the District Collector by way of appeal under Section 10A of the Act and granted liberty to R4 herein to raise all relevant points before the appellate authority.

7. In these circumstances, when the appellate authority is seized of the matter, we are wholly disinclined to consider yet another writ petition at the instance of the present petitioner, who incidentally was arrayed as R4 in WP(MD)No.7674 of 2025.

8. Needless to say, the appeal shall be disposed by the District Collector, Theni District / R1, in a timely fashion, thereby, obviating the



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necessity for this Court to consider such pleas at the instance of third parties.

9. This writ petition is disposed. Let the pending appeal should be disposed by District Collector, Theni District / R1, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

[A.S.M.J.] & [C.K.J.]
19.11.2025

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