



W.P.(MD)No.33617 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2025

CORAM:

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

W.P.(MD)No.33617 of 2025
and
W.M.P(MD)No.26534 of 2025

The Annai Memorial Medical Trust,
Represented by its Chairman,
J.Latha,
W/o.C.John Stephen,
49-3B, Ayyanar Koil Street,
Nilayur, Thiruparankundram,
Madurai District.

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Madurai District.

2.The Tashildar
Thiruparankundram Taluk,
Madurai District.

3.The Block Development Officer (Village Panchayat),
Panchayat Union,
Thirupparankundram,
Madurai - 625 006.

... Respondents

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PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings in Na.Ka.No.3407/2025/C dated 31.10.2025 issued by the respondent No.2 in respect of the petitioner's Annai Memorial Medical Trust in Survey No.49/3B to an extent of 20 cents situated at No.49-3B, Ayyanar Koil Street, Nilayur, Thiruparankundram, Madurai South Taluk, Madurai District and quash the same as illegal and consequently for a direction directing the respondents not to take any coercive steps till the appeal filed by the petitioner under Section 10 of the Tamil Nadu Land Encroachment Act, 1905 in Appeal No.3648577/2025 by considering the petitioner's representation dated 11.08.2025.

For Petitioner : Mr.K.Dinesh

For Respondents : Mr.D.Sadiq Raja (R1 to R3)
Additional Government Pleader

ORDER

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

The petitioner challenges the proceedings in Na.Ka.No. 3407/2025/C dated 31.10.2025 issued by the Tahsildar, Thiruparankundram Taluk, for eviction of the petitioner from Survey No.49/3B, Ayyanar Koil Street, Nilayur, Thiruparankundram, Madurai



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South Taluk, Madurai District. A consequential direction is sought to the respondents not to take any coercive steps till the appeal filed under the provisions of the Tamil Nadu Land Encroachment Act, 1905 (in short 'Act') pending before the authorities is disposed.

2.Mr.Sadiq Raja, learned Additional Government Pleader, who accepts notice for the respondents, has obtained instructions in advance to enable us to dispose this Writ Petition even at the stage of admission.

3.Hence, by consent, this order is passed disposing the Writ Petition even at the stage of admission.

4.The learned counsel appearing for the petitioner would not dispute the position that the petitioner's Appeal bearing No. 3648577/2025 is pending before the District Collector. It has been instituted as early as on 06.08.2025. Along with the appeal, the petitioner has also made a prayer for interim protection under Section 10 of the Act on the same date. Admittedly, both appeal and stay application are still pending.

5.In such circumstances, we are of the considered view that the impugned proceedings dated 31.10.2025, passed without reference to the



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pendency of the stay application, is not appropriate. The District Collector, Madurai/R1 is directed to dispose the application of the petitioner for interim relief filed under Section 10-B of the Act, after hearing the petitioner and in accordance with law, within a period of four weeks from today. For a period of four weeks or till such order is passed, whichever is earlier, status quo shall be maintained.

6.This Writ Petition is disposed in light of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

[A.S.M.J.] & [C.K.J.]
24.11.2025

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



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