



W.P(MD)No.3716 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P(MD)No.3716 of 2025
and
WMP(MD)No.2670 of 2025**

Chellammal

... Petitioner

vs.

1.The District Collector/Monitoring Committee,
Tenkasi District,
Tenkasi.

2.The Tahsildar,
Tenkasi Taluk,
Tenkasi District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus forbearing the second respondent from proceeding with his order dated 28.11.2024 under Section 6 of Tamil Nadu Land Encroachment Act 1905 till the disposal of the statutory appeal preferred by the petitioner before the first respondent under Section 10 of Tamil Nadu Land Encroachment Act 1905 dated 12.12.2024.



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For Petitioner : Mr.K.Jeyamohan
For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

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

The petitioner has filed the present Writ Petition for a Writ of Mandamus, to forbear the second respondent from proceeding with his order dated 28.11.2024 under Section 6 of Tamil Nadu Land Encroachment Act 1905, till the disposal of the statutory appeal preferred by the petitioner, before the first respondent under Section 10 of Tamil Nadu Land Encroachment Act 1905, dated 12.12.2024.

2.When the matter is taken up for hearing today, the learned Additional Government Pleader appearing for the respondents would submit that since the petitioner has already filed appeal against Section 6 notice, along with stay petition under Section 10-B of the Act, he can obtain interim order before the first respondent.

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3.In the light of the above, we are not inclined to entertain the Writ Petition. Accordingly, this Writ Petition is dismissed with liberty to the petitioner to approach the District Collector for grant of interim order. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

[J.N.B.,J.] & [L.V.G.,J.]
10.02.2025

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

To

- 1.The District Collector/Monitoring Committee,
Tenkasi District,
Tenkasi.
- 2.The Tahsildar,
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Tenkasi District.



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and
L.VICTORIA GOWRI, J.

ps

ORDER MADE IN
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