



W.P.No.27049 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 22.07.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.No.27049 of 2025
and
W.M.P.No.30350 of 2025

M.Sundaresan
S/o.Murugachetty

... Petitioner

VS.

1. The District Collector
Dharmapuri
Dharmapuri District - 636 701.
2. The Revenue Divisional Officer
Pennagaram Taluk Office
Dharmapuri District - 636 810.
3. The Tahsildar
Pennagaram Taluk Office
Dharmapuri District - 636 810.
4. The Revenue Inspector
Pennagaram Taluk Sub Circle
Dharmapuri District - 636 810.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India
seeking a writ of Mandamus, to direct the 1st respondent / Appellate

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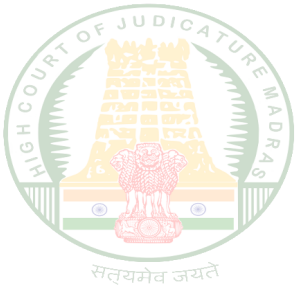
Authority to take up the petitioner's stay petition and appeal petition dated 04.07.2025 filed under Section 10 of the Tamil Nadu Land Encroachment Act, 1905 as against the order dated 10.06.2025 passed by the 3rd respondent under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 and decide the same on merits and in accordance with law, within a period fixed by this Court.

For Petitioner : Ms.C.N.Prarthana
For Respondents : Mr.K.Suresh
Government Advocate

ORDER

[Order of the Court was made by **M. SUNDAR, J.**]

Captioned main 'writ petition' (hereinafter 'WP' for the sake of brevity) has been filed for issue of a writ of mandamus *qua* stay petition and appeal dated 04.07.2025 being statutory appeal (hereinafter 'said statutory appeal' for the sake of convenience and clarity) under Section 10 of 'the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905)' (for brevity 'said 1905 Act') assailing the order / notice dated 10.06.2025 issued by R3 [the Tahsildar, Pennagaram Taluk Office, Dharmapuri District - 636 810] under Section 6 of said 1905 Act.



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2. To be noted, R1 (District Collector, Dharmapuri District) is the Appellate Authority as regards said statutory appeal.

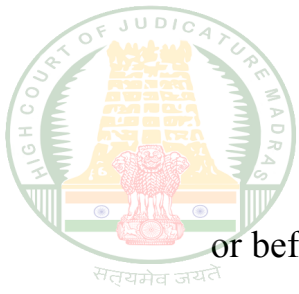
3. Ms.C.N.Prarthana, learned counsel on record for writ petitioner, submits that along with said statutory appeal, an application filed under Section 10-B of said 1905 Act seeking stay, is also pending.

4. Issue notice to respondents.

5. Mr.K.Suresh, learned Government Advocate, accepts notice for the respondents.

6. Owing to the limited scope of captioned WP, with the consent of learned counsel on both sides, captioned WP was taken up in the Admission Board.

7. Learned State Counsel submits that the afore-referred stay petition will be disposed of by R1 within a period of three weeks from today *i.e.*, on



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or before 12.08.2025.

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8. The aforesaid submission of learned State counsel is recorded. We make it clear that coercive action, if any, shall be subject to outcome of the stay petition.

9. Captioned WP stands disposed of in the aforesaid manner by recording the aforesaid submission made by learned State counsel. As we have held that coercive action (if any) shall be subject to/depending on the outcome of the stay petition, captioned writ miscellaneous petition thereat has become otiose and therefore, the same is disposed of as closed. There shall be no order as to costs.

(M.S.J.,)

(H.C.J.,)

22.07.2025

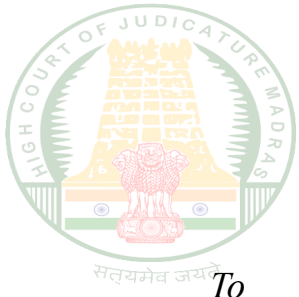
Index : Yes / No

Neutral Citation : Yes / No

Speaking / Non-speaking

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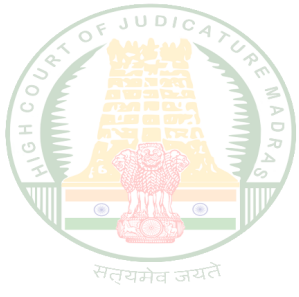
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To
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**M.SUNDAR, J.,
and
HEMANT CHANDANGOUDAR, J.,**

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