

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.10350 of 2015
and M.P.No.1 of 2015

- 1.R.Sekar
- 2.Nithya
- 3.Rajan
- 4.Ammu
- 5.Purushothaman
- 6.Santhana Krishnan
- 7.Mani
- 8.Pachaiappan
- 9.Kotteswaran
- 10.Marimuthu
- 11.Bagyalakshmi
- 12.Sankarganesh
- 13.Devaki
- 14.Thillaikumar
- 15.Vadivel

.. Petitioners

Vs.

- 1.The District Collector,
Kancheepuram District,
Kancheepuram.
- 2.The Executive Engineer,
Public Works Department,
Thiruvallur.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 27.03.2015 and grant house site patta to the petitioners in S.F.No.5/5 and 4/4 or any other alternative site in S.F.No.7 in Moulivakkam Village, Kancheepuram District and direct the 2nd respondent not to evict the petitioners, pending consideration of grant of patta in S.F.No.5/5 and 4/4 of Moulivakkam Village, Kancheepuram District.

For Petitioners	:	Mr.M.Muthappan
For Respondents	:	Mr.S.V.Duraisolaimalai, Addl. Government Pleader for R1 and R2

O R D E R

By consent, this writ petition is taken up for final disposal.

2. The petitioners claim that each of them is in occupation of small extent of Government poramboke lands in S.F.Nos.5/5 and 4/4 in Moulivakkam Village, Kancheepuram District and put up huts/constructed small houses and living their for more than 20 years and they were also subjected to statutory levies. The grievance expressed by the petitioners is that the petitioners also made a representation to the first respondent for grant of house site pattas and some of them have been conferred with said benefit. The petitioners, apprehending eviction on the part of the second respondent without following due process of law, submitted a representation dated 27.03.2015 to the first respondent and inspite of pendency of their representation, coercive steps are being taken to evict them and therefore, came forward to file this writ petition.

3. Heard the submissions of Mr.M.Muthappan, learned counsel appearing for the petitioners and Mr.S.V.Duraisolaimalai, learned Additional Government Pleader, who accepts notice for the respondents 1 and 2.

4. Considering the limited scope of prayer sought for by the petitioners, this Court, without going into the merits of the representation submitted by the petitioners dated 27.03.2015, directs the first respondent to consider and dispose of the petitioners' representation dated 27.03.2015 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. It is also open to the petitioners to submit one more representation to the first respondent by enclosing a copy of their earlier representation and the first respondent shall also take into consideration the said representation and give early disposal and till such time, the second respondent shall not precipitate the matter.

5. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

jvm

s/d-

Assistant Registrar(V)

True Copy

Sub-Assistant Registrar

To

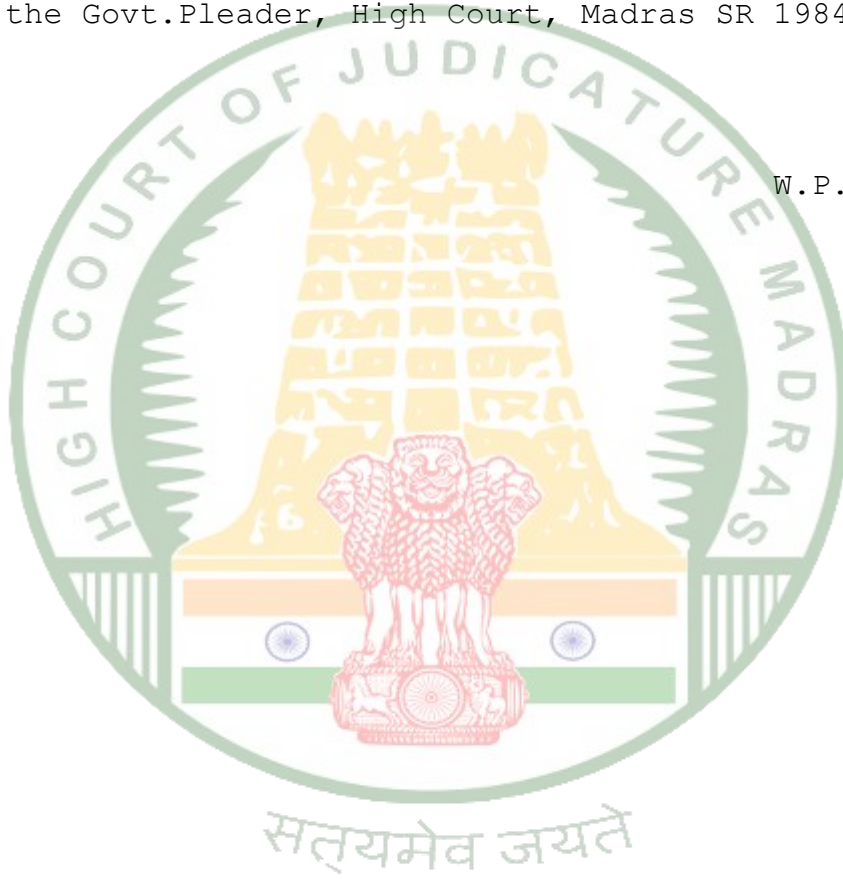
1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Executive Engineer,
Public Works Department,
Thiruvallur.

+ 1 cc to Mr.M.Muthappan, Advocate sR 19781

+ 1 cc to the Govt.Pleader, High Court, Madras SR 19843

br(co)
prk23/4

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