

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 22.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.17593 of 2015

1 C.Lalitha
2 C.Rajesh
3 C.Sujathan
4 C.Ramesh
5 Kanthamani

... Petitioners

Versus

1 The District Collector
Thiruvallur District Thiruvallur
2 The Thasildar
Ambattur Taluk Ambattur Thiruvallur
District Thiruvallur
3 The Commissioner cum Block
Development Officer Villivakkam Panchayat
Union Ambattur Thiruvallur District
Thiruvallur .. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, forbearing the 2nd and 3rd respondent from converting the land into burial ground using machineries by disturbing the peaceful possession and enjoyment of the petitioner in the land in Survey No.178 of Ayapakkam Village Ambathur Firka and Taluk situated in the Sub Registration District of Ambathur Registration District of North Chennai.

For Petitioner : Mr.S.Rajakumar

For Respondents : Mr.Rm.Muthukumar (for R1 & R2)
Government Advocate.
Mr.P.Sanjai Gandhi (For R3)
Additional Government Pleader.

O R D E R

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

2. The petitioners claim that their father late Chandiran, was the owner of the land admeasuring to an extent of 26 cents comprised in Punjai Survey No.178, Ayapakkam Village, Ambathur Firka and Taluk and he has purchased the same by means of a registered sale deed

dated 28.06.1984 bearing Doc.No.2753/1984 on the file of the Sub Registrar, Ambattur and after the demise of their father in the year 2005, they are enjoying the property jointly and according to them, chitta adangal also continue to stand in the name of their father. The petitioners apprehend that the respondents 2 and 3 are making attempts to convert the land into a burial ground and though, very many representations have been submitted, they failed to respond and hence, came forward to file this writ petition.

3. Heard the submissions of Mr.S.Rajakumar, learned counsel appearing for the petitioner, Mr.Rm.Muthukumar, learned Government Advocate, who accepts notice for respondents 1 and 2 and Mr.P.Sanjai Gandhi, learned Additional Government Pleader, who accepts notice for the 3rd respondent.

4. Though, the petitioners have prayed for a larger relief, this Court, taking into consideration the facts and circumstances of this case and without going into the merits of the representation, directs the respondents 2 and 3 to consider the 25.02.2015, submitted by the petitioners, in accordance with law and pass orders, as expeditiously as possible and not later than six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioners.

5. The writ petition is disposed of, accordingly. No costs.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

ars

To

- 1 The District Collector
Thiruvallur District Thiruvallur
- 2 The Thasildar
Ambattur Taluk Ambattur Thiruvallur
District Thiruvallur
- 3 The Commissioner cum Block
Development Officer Villivakkam Panchayat
Union Ambattur Thiruvallur District
Thiruvallur

1 cc to Mr.S.Rajakumar, Advocate, Sr. 30804
1 cc to Government Pleader, Sr. 30576

W.P.No.17593 of 2015

SAI (CO)

<https://hcservices.ecourts.gov.in/hcservices/>

KR 23/6