

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.17750 of 2015

&

M.P. Nos.1 & 2 of 2015

- 1.Marasamy
- 2.Boopathiraj
- 3.Madhappan
- 4.Nallammal
- 5.Sadaiammal
- 6.Pappal
- 7.Ramamurthy
- 8.Vasanthi
- 9.Munusamy
- 10.Samiyathal

... Petitioners

Vs.

1. The Principal Secretary to Government
Adi Dravidar Welfare Department
Fort St. George
Chennai - 600 009

2. The District Collector
Collector Office
Erode - 11
Erode District

3. The Special Tahsildar
Adi Dravidar Welfare
Erode
Erode District

4. The Tahsildar
Taluk Office
Erode Taluk
Erode District

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents from interfering with the petitioners peaceful enjoyment of the properties situated at Survey No.390/17 in Poondurai Semur Village, Erode Taluk.

For Petitioners: Mr.M.Selvam

For Respondent : Mr.S.Pattabiraman
Government Advocate

O R D E R

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

2. The grievance expressed by the petitioner is that though they filed a suit O.S.No.211 of 2012 before the Principal Subordinate Judge, Erode against the respondents 2 to 4 praying for the reliefs of declaration and permanent injunction and that the suit was decreed on 17.12.2012 declaring that they are the owners of the property, the third respondent is attempting to interfere with the peaceful possession and enjoyment in utter violation of the decree passed by the civil Court and in this regard, they submitted individual representations dated 03.06.2015 to the second and third respondents and since they have not been favoured with any kind of response, they came forward to file this writ petition.

3. Heard the submissions made by Mr.M.Selvam, learned counsel appearing for the petitioners and Mr.S.Pattabiraman, learned Government Advocate, who accepts notice for the respondents.

4. Though the petitioners prayed for the larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the claim projected by the petitioners, directs the second respondent to consider and dispose of the petitioners' representation dated 03.06.2015 in accordance with law and after putting on notice the person concerned and pass orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioners. Till then, both the petitioners and respondents shall maintain status-quo as exists today.

5. The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

gpa
To

1. The Principal Secretary to Government
Adi Dravidar Welfare Department
Fort St. George
Chennai - 600 009

2. The District Collector
Collector Office
Erode - 11
Erode District

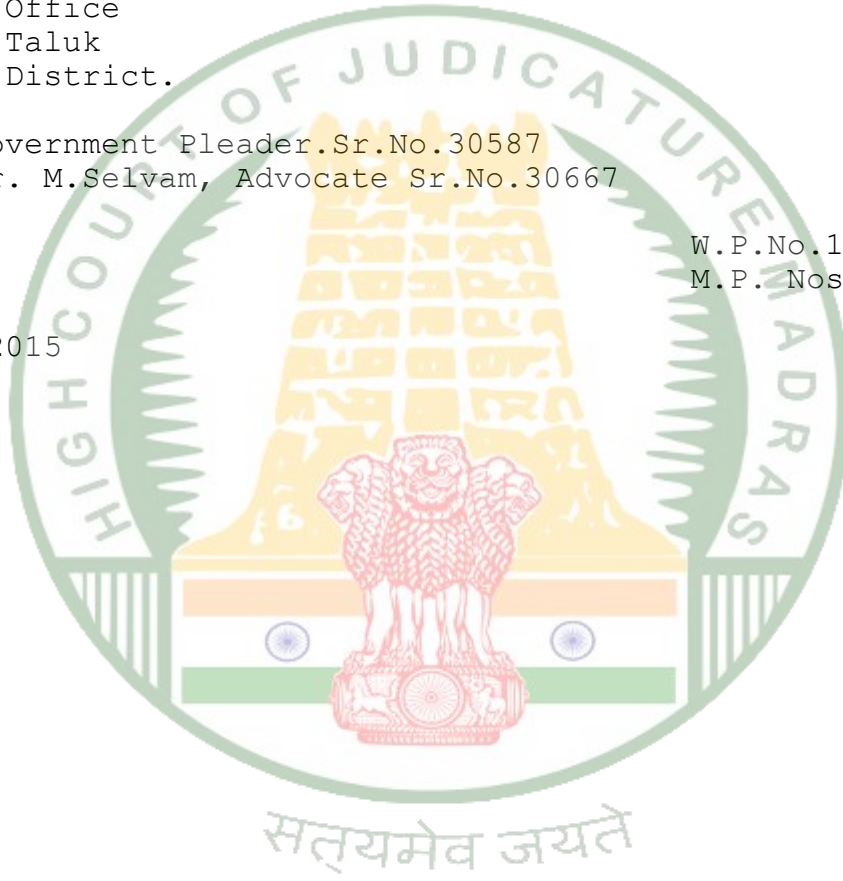
3. The Special Tahsildar
Adi Dravidar Welfare
Erode
Erode District

4. The Tahsildar
Taluk Office
Erode Taluk
Erode District.

1 cc to Government Pleader.Sr.No.30587
1 cc to Mr. M.Selvam, Advocate Sr.No.30667

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pmk.24.6.2015

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