

In the High Court of Judicature at Madras

Dated: 11.09.2015

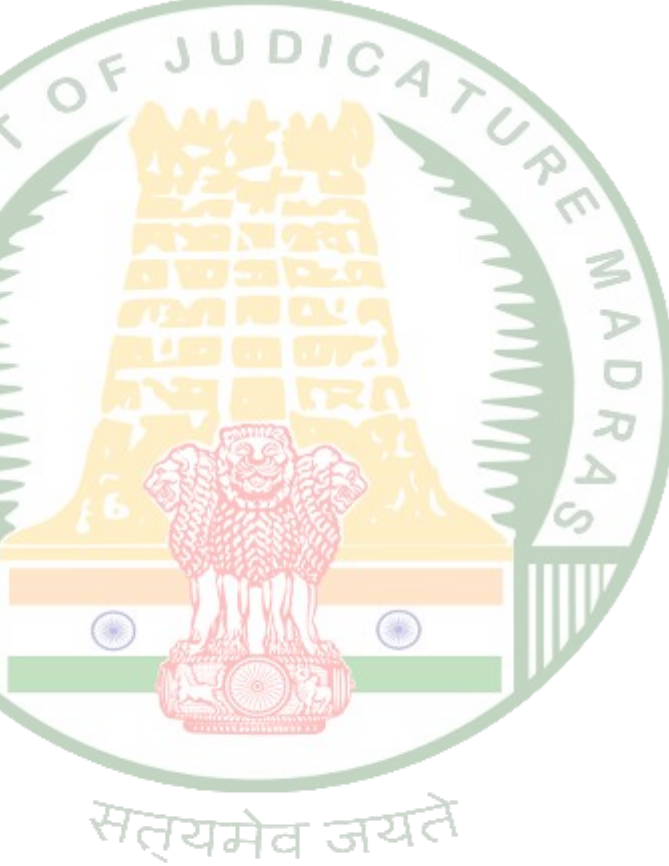
Coram:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice
and

The Honourable Mr. Justice T.S.SIVAGNANAM

Writ Petition No. 21996 of 2015
and M.P. No. 1 of 2015

1 L.Srinivasan
2 M.Rajan
3 S.Ramesh
4 P.Babu
5 M.Kandasamy
6 K.Lakshmidevi
7 S.Venu
8 K.Paramasivan
9 G.Sulochana
10 G.Prabakaran
11 R.Chithra
12 M.Mothibai
13 M.Dhanushu
14 A.Lakshmi
15 Bhuvaneshwari
16 S.Rajammal
17 K.Anbu
18 K.Vimal
19 R.Jaishankar
20 L.John Sagaraj
21 K.Selvaraj
22 C.Mutharasu
23 D.Lawrence
24 D.Subbiah
25 P.Rajaram



.. Petitioners

vs.

1 The District Collector
Thiruvallur District
Thiruvallur.
2 The Tahsildar
Ambattur Taluk
Thiruvallur District.

WEB COPY

- 3 The Chief Engineer
Chennai Region
Water Resource Organization
Public Works Department, Chennai.
- 4 The Executive Engineer
Public Works Department
Thiruvallur District.
- 5 The Assistant Engineer
Public Works Department, Redhills
Thiruvallur District.
- 6 The Junior Engineer
Public Works Department, Redhills
Thiruvallur District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from evicting or interfering or disturbing with the peaceful possession and enjoyment of the petitioners' residential property situated in Survey Nos.1 and 2, Bharath Nagar Extension, Survey No.4, Sabari Iyyappan Nagar, Menambedu Village, Ambattur, Chennai - 600 053, Thiruvallur District except due process of law.

For Petitioners : Mr. M.V. Muralidharan
For Respondents : Mr. S.T.S. Murthi,
Govt. Pleader, assisted by
Mr. V.R. Kamalanathan
Addl. Govt. Pleader.

सत्यमेव जयते
O R D E R

(Made by The Hon'ble The Chief Justice)

It appears that the writ petition has been filed on mere apprehension without any cause of action in view of the stand taken in the common counter-affidavit filed by the third and fourth respondents, where it is stated that whatever action would be taken will be in accordance with law.

2. We may note that the issue pertains to encroachment of land in eri/water body and thus, the respondents are certainly entitled to take expeditious action to clear any occupation on the water body.

3. The writ petition is dismissed, taking the statement made in the counter-affidavit on record. No costs. Consequently, M.P. No.1 of 2015 is also dismissed.

-Sd/-
Assistant Registrar(cs-II)

//True copy//

Sub Assistant Registrar

ATR

Copies to;

- 1 The District Collector
Thiruvallur District at Thiruvallur.
- 2 The Tahsildar
Ambattur Taluk, Thiruvallur District.
- 3 The Chief Engineer
Chennai Region, Water Resource Organization
Public Works Department, Chennai.
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Public Works Department, Redhills
Thiruvallur District.
- 6 The Junior Engineer
Public Works Department, Redhills
Thiruvallur District.

+1 cc to Mr.M.V.Muralideran,Advocate(sr.50107)

W.P. No. 21996 of 2015

pa(co)
cp 30/09/2015