

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE K.K. SASIDHARAN

W.P. Nos. 25129 to 25138 of 2015

Obulammal	...	Petitioner in WP.25129 of 2015
Dhanammal	...	Petitioner in WP.25130 of 2015
J.Srinivasan	...	Petitioner in WP.25131 of 2015
Suguna	...	Petitioner in WP.25132 of 2015
Ravanamma	...	Petitioner in WP.25133 of 2015
Gunavathi	...	Petitioner in WP.25134 of 2015
Meriyammal	...	Petitioner in WP.25135 of 2015
Mandha Aasirvaddam @ Aasirvaddam	...	Petitioner in WP.25136 of 2015
Penchillaiah	...	Petitioner in WP.25137 of 2015
Ramaiya	...	Petitioner in WP.25138 of 2015

vs.

1. The Tahsildar
Tambaram,
Tambaram Taluk,
Kancheepuram District.
 2. The Revenue Inspector,
Chittlapakkam,
Tambaram Taluk,
Kancheepuram District.
 3. The Village Administrative Officer,
Chittlapakkam,
Tambaram Taluk,
Kancheepuram District.
- ... Respondents in all WPs

W.P.Nos.25129 to 25138 of 2015 filed under Article 226 of the Constitution of India seeking a writ of certiorari calling for the concerned records relating to the Section 6 notice under Tamil Nadu Act III of 1905, dated 28.07.2015 passed by the respondents and quash the same respectively.

For petitioner/s : Mr. M. Gnanasekar
for
M/s. R. Thirumoorthy

For respondents : Mr. P.S.Sivashanmugasundaram
Spl. Govt. Pleader

COMMON ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

Mr. P.S. Sivashanmugasundaram, learned Special Government Pleader, takes notice for the respondents. With the consent of the learned counsel for the parties, these writ petitions are taken up for final disposal.

2. These writ petitions are filed challenging the eviction notices dated 28.07.2015 issued by the first respondent under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 (for short "the Act") primarily on the ground that while issuing the impugned notices, their replies dated 08.07.2015 to the notices dated 26.06.2015 issued under Section 7 of the Act, have not been considered.

3. We have heard the learned counsel for the petitioners and the learned Special Government Pleader appearing for the respondents.

4. It is to be noted that as against the impugned notices issued under Section 6 of the Act, statutory appeal remedy is available under Section 10 of the Act. As such, there is no reason to interfere with the impugned notices, at this stage.

5. As a sequel, the writ petitions are dismissed as not maintainable. However, liberty is reserved to the petitioners to take recourse to the appellate forum within a period of two weeks. In the event, an appeal along with the application for interim relief is preferred within a period of two weeks, the appellate authority is directed to consider the interim application within further time of

two weeks therefrom. Till such time, status quo as obtained today in respect of the property in question shall be maintained. The appellate authority is also directed to decide the appeal within the statutory period prescribed under the provisions of law. No costs. Connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Tahsildar
Tambaram,
Tambaram Taluk,
Kancheepuram District.
2. The Revenue Inspector,
Chittlapakkam,
Tambaram Taluk,
Kancheepuram District.
3. The Village Administrative Officer,
Chittlapakkam,
Tambaram Taluk,
Kancheepuram District.

+10cc's to Mr.R.Thirumurthy, Advocate, S.R.No.43001 to 43010
+1cc to the Government Pleader, S.R.No.42595

W.P. Nos. 25129 to 25138 of 2015

VSN(CO)
CA(01/09/2015)

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