

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P. No.38778 of 2015

K.Bharathy

... Petitioner

vs.

- 1.The State of Tamilnadu,
Rep. by its Secretary to the Government,
Revenue Department,
Fort St. George,
Chennai-600 009.
- 2.The District Collector,
Kancheepuram District,
Kancheepuram.
- 3.The Revenue Divisional Officer,
Tambaram Revenue Division,
Tambaram.
- 4.The Tahsildar,
Tambaram Taluk,
Tambaram,
Kancheepuram District.

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of a writ of mandamus, directing the respondents 3 and 4 not to disturb the peaceful possession and enjoyment of the petitioner in the residential buildings constructed in the land comprised in S.No.403/2 at Annai Anjugam Nagar, Perungalathur, Chennai-63.

For Petitioner : Mr.D.Nagarajan
For Respondents : Mr.Digvijaypandian,
Additional Government Pleader

ORDER

When the matter was taken up for hearing on 09.12.2015, this Court adjourned the matter to today, so as to enable the learned Additional Government Pleader to get instructions for granting an order of status quo till the passing of orders by the fourth respondent on the representation of the petitioner. Despite the same, no instruction is forthcoming. Therefore, this Court is inclined to dispose of the writ petition based upon the available materials.

2. The learned counsel for the petitioner submitted that the petitioner has been in possession and enjoyment of the property situated in S.No.403/2 in Annai Anjugam Nagar, Old Perungalathur, Kancheepuram District, for more than a decade,. However, the respondents are threatening to evict the petitioner. The petitioner is unable to move out due to the recent floods. Only in such circumstances, a representation was given by the petitioner seeking further time to vacate the occupied property and an alternative place may be earmarked for the residence of the petitioner.

3. Taking into consideration of the pending representation stated to have been made by the petitioner on 03.12.2015 and also considering the fact that the second respondent has directed the fourth respondent to pass appropriate orders on earlier representation of the petitioner dated 01.03.2015, a direction is issued to the fourth respondent, to dispose of the same, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Till such an order is passed, status- quo shall continue.

4. With the above direction, this writ petition is disposed of. No costs.

-s/d-
Assistant Registrar

True Copy

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Sub-Assistant Registrar

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To

1.The Secretary to the Government,
Revenue Department,
Fort St. George,
Chennai-600 009.

2.The District Collector,
Kancheepuram District,
Kancheepuram.

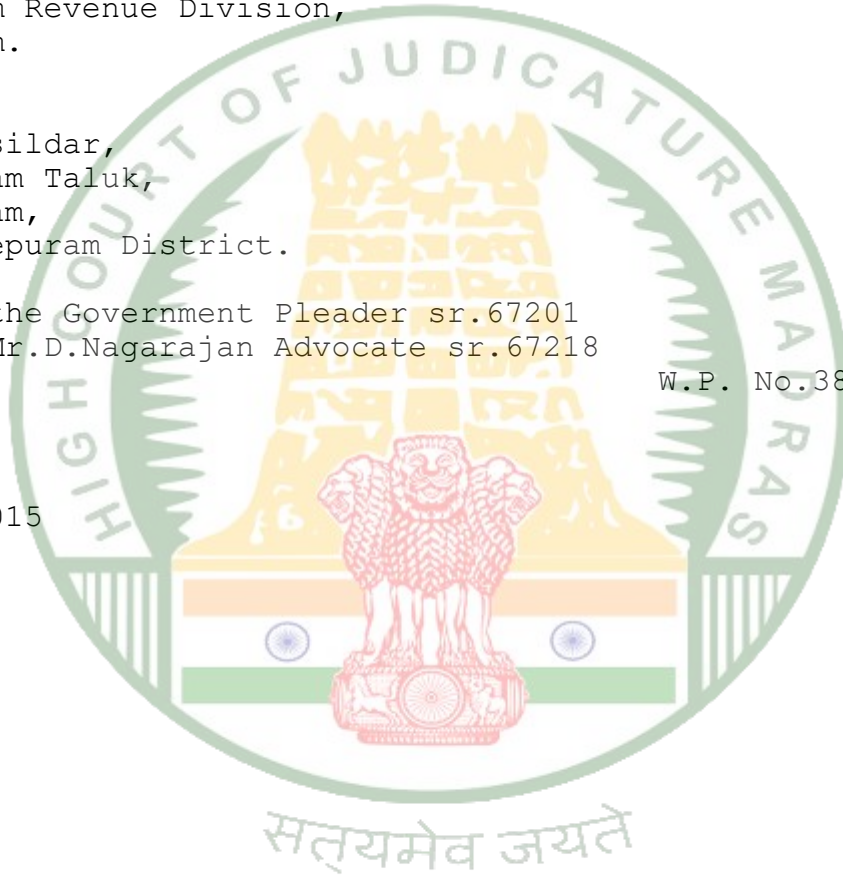
3.The Revenue Divisional Officer,
Tambaram Revenue Division,
Tambaram.

4.The Tahsildar,
Tambaram Taluk,
Tambaram,
Kancheepuram District.

+1 cc to the Government Pleader sr.67201
+1 cc to Mr.D.Nagarajan Advocate sr.67218

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