

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.Nos.6768 to 6777 of 2015

1. K.Mohanasundaram .. Petitioner in WP.6768/15
2. G.Chitra .. Petitioner in WP.6769/15
3. T.Theerthan .. Petitioner in WP.6770/15
4. T.Chinnasamy .. Petitioner in WP.6771/15
5. R.Ramachandran .. Petitioner in WP.6772/15
6. R.Kalanjiyam .. Petitioner in WP.6773/15
7. L.Sambasivam .. Petitioner in WP.6774/15
8. A.Palani .. Petitioner in WP.6775/15
9. M.Paneer .. Petitioner in WP.6776/15
10. Chinnakannu .. Petitioner in WP.6777/15

Versus

1. The State of Tamil Nadu
rep. by The Secretary to Government
Revenue Department, Fort
St. George, Chennai 600 009.
2. The State of Tamil Nadu
rep. by The Secretary to Government
Environment and Forest Department
Fort St George, Chennai 600 009. ..1 and 2 respondents in
all WPs.
- 3.The District Collector
Salem, Salem District.

4.The Tahsildar
Gangavalli Taluk, Salem District.

5.The District Forest Officer
Salem, Salem District. ..3 to 5 Respondents in WP.6768/15

The District Collector,
Dharmapuri District, Dharmapuri.

The Tahsildar,
Pappireddypatti, Dharmapuri District.

The District Forest Officer,
Dharmapuri District. ..Respondents 3 to 5 in WP.6770/15,
6771/15, 6772/15 and 6775/15.

The District Collector,
Namakkal District, Namakkal.

The Tahsildar,
Rasipuram Taluk, Namakkal.

The Forest Settlement Officer,
Attur, Salem District.

The District Forest Officer,
Namakkal, Namakkal District. ...Respondents 3 to 6 in WP.6773/15,
WP.6776/15 and 6777/15.

The District Collector,
Vellore District, Vellore.

The Tahsildar,
Tirupattur Taluk, Vellore. ...Respondents 3 and 4 in WP.6774/15.

Writ petitions are filed under Article 226 of the Constitution of India praying for a writ of MANDAMUS to direct the respondents to issue patta to the petitioner for the lands comprised in Indira Nagar, Veppadipalakadu, Pachamalai village, Gangavalli Taluk, Salem District to an extent of 3.0 acre[i] WP.6768/15 and [ii] 6769/15;

directing the respondents to issue patta to the petitioner for the lands comprised in Suriyakadai, Chitheri, Pappireddypatti North Mangalapuram via, Pappireddypatti, Dharmapuri District, District to an extent of 3.00 acres.[WP.6770/15]

directing the respondents to issue patta to the petitioner for the lands comprised in Suriyakadai, Chitheri, Pappireddypatti

Mangalapuram via, Pappireddypatti, Dharmapuri District, District to an extent of 3.00 acres.[WP.6771/15]

directing the respondents to issue patta to the petitioner for the lands comprised in Suriyakadai, Chitheri, Pappireddypatti North Mangalapuram via, Pappireddypatti, Dharmapuri District, District to an extent of 3.00 acres.[WP.6772/15]

directing the respondents to issue patta to the petitioner for the lands comprised in Unsurvey Block-2, Naraikinaru, Rasipuram Taluk, Namakkal District, District to an extent of 3.00 acres.[WP.6773/15]

directing the respondents to issue patta to the petitioner for the lands comprised in Nadukuppam, Pudurnadu Village, Tirupattur Taluk, Vellore District to an extent of 2.00 acres.[WP.6774/15]

directing the respondents to issue patta to the petitioner for the lands comprised in Old No.1147, Suriyakadai, Chitheri, Pappireddypatti North Mangalapuram Via, Pappireddypatti, Dharmapuri District, to an extent of 3.00 acres.[WP.6775/15]

directing the respondents to issue patta to the petitioner for the lands comprised in Unsurvey Block-2, Naraikinaru, Rasipuram Taluk, Namakkal District, District to an extent of 2.00 acres.[WP.6776/15]

directing the respondents to issue patta to the petitioner for the lands comprised in Unsurvey Block-2, No.63G, Annaipalayam, Mangalapuram, Rasipuram, Namakkal District, District to an extent of 1.50 acres.[WP.6777/15]

For Petitioners in
all the writ petitions : Mr.V.Thirupathi

For RR 1, 3, and 4 in
all the writ petitions : Mr.R.Vijayakumar
Special Government Pleader

For RR 2 and 5 in
all the writ petitions : Mr.Inbanathan, GA

COMMON ORDER

Heard Mr.V.Thirupathi, learned counsel for the petitioners ; Mr.R.Vijayakumar, learned Additional Government Pleader accepting notice for the respondents 1, 3 and 4 ; and Mr.Inbanathan, learned Government Advocate appearing for the respondents 2 and 5 in all the writ petitions and with their consent, the writ petitions are disposed of at the admission stage itself.

2.Since the issue involved in all these writ petitions is one and the same, the above writ petitions are disposed of by the following common order.

3.It is to be stated that the prayer sought for in these writ petitions was earlier dealt with by this Court in WP.Nos.35215 to 35234/2014 etc and batch and the same were disposed of on 09.01.2015. The operative portion of the order in WP.Nos.35215 to 35234/2014 etc and batch reads as follows:-

"12.In view of the above, while rejecting the prayer to quash the impugned proceedings, the writ petitions are disposed of with a direction to the Fast Track Court, Namakkal to hear and to dispose of the appeals filed by the Forest Department in CMA No.32/2011 etc., after hearing the parties, as expeditiously as possible, preferably within a period of six months from the date of receipt of this order. It is made clear that all the petitioners who are respondents in the appeals, shall co-operate in the expeditious disposal of appeals, without taking unnecessary adjournments.

13.It is made clear that the respondents should not evict the petitioners. The petitioners are directed not to encroach or put up any permanent construction or encumber the lands in question, during the pendency of the proceedings before the Fast Track Court, Namakkal....."

4.In the light of the above, these writ petitions are disposed of by directing the Court concerned at Salem and Namakkal, to dispose of the respective appeals filed by the Forest Department, after hearing the parties, as expeditiously as possible, preferably within a period of six months from the date of receipt of this order. It is made clear that all the petitioners herein who are respondents in the appeals, shall co-operate in the expeditious disposal of appeals, without taking unnecessary adjournments.

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5.It is made clear that the respondents should not evict the petitioners. The petitioners are directed not to encroach or put up any permanent construction or encumber the lands in question, during the pendency of the proceedings before the Court concerned at Salem and Namakkal. No costs.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

AP

To

- 1.The Secretary to Government
State of Tamil Nadu
Revenue Department, Fort
St. George, Chennai 600 009.
- 2.The Secretary to Government
State of Tamil nadu
Environment and Forest Department
Fort St George, Chennai 600 009.
- 3.The District Collector
Salem, Salem District.
- 4.The Tahsildar
Gangavalli Taluk, Salem District.
- 5.The District Forest Officer
Salem, Salem District.
6. The District collector, Dharmapuri District, Dharmapuri.
7. The Tahsildhar, Pappireddypatti, Dharmapuri.
8. The District Forest Officer, Dharmapuri District.
9. The District Collector, Namakkal District, Namakkal.
10. The Tahsildar, Rasipuram Taluk, Namakkal.

11. The Forest Settlement Officer,
Attur, Salem District.

12. The District Forest Officer, Namakkal, Namakkal District.

13. The District Collector, Vellore District, Vellore.

14. The Tahsildar, Thirupattur Taluk, Vellore.

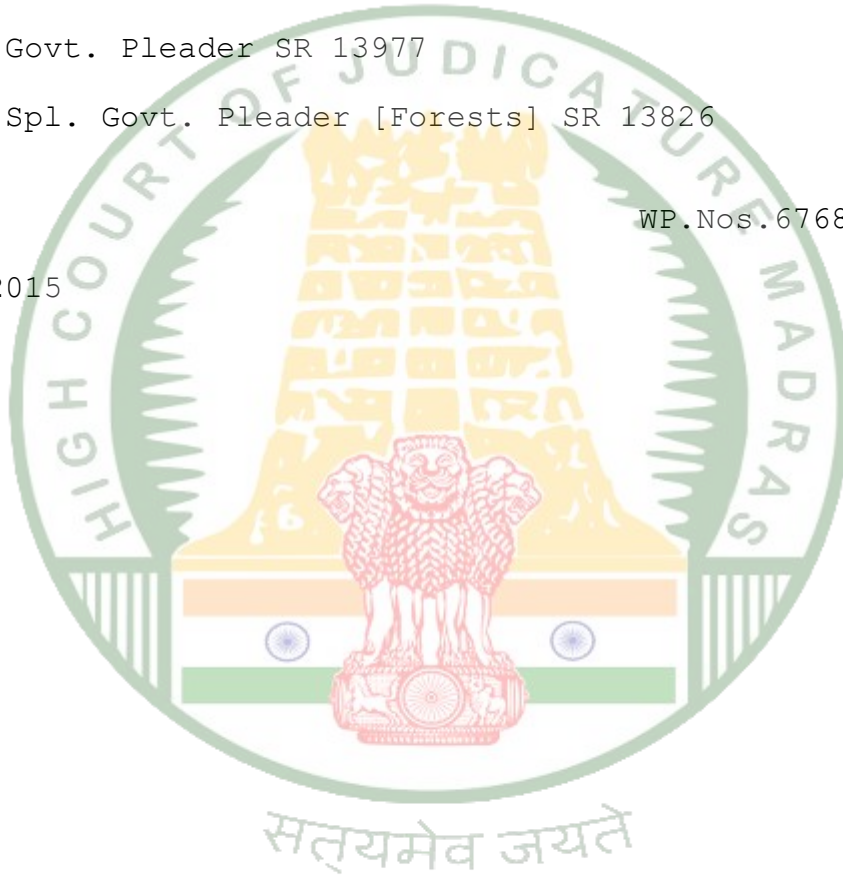
+ 10 CCs to Mr.V.Thirupathi, Advocate SR 13763

+ 1 CC to Govt. Pleader SR 13977

+ 1 CC to Spl. Govt. Pleader [Forests] SR 13826

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