IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.04.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P. No.7658 of 2015 and M.P. No.1 of 2015
W.P. No.7812 of 2015 and M.P. No.1 of 2015

T. Karuppiah — Petitioner in WP No.7658/2015

1 T. Karuppiah
2 T. Palanimuthu — Petitioners in WP No.7812/2015

vs.

1 The District Collector
Villupuram

2 The Tahsildar
Kallakuruchi Taluk
Kallakuruchi
Villupuram District

3 N. Ramamoorthy — Respondents in both the WPs

Prayer in WP No.7658 of 2015:

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari calling for the records made in Na.Ka.A4/885/15 dated __.02.2015 signed on 05.02.2015 passed by the Tahsildar, Kallakuruchi/the second respondent herein in regard to the petitioner's land bearing old patta no.471 (New No.421) in S.Nos.70/4A,4C,4H, Keelpoondi Village and quash the same.

Prayer in W.P. No.7812 of 2015:

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari to call for the records made in Na.Ka.A4/885/15 dated __.02.2015 signed on 05.02.2015 passed by the Tahsildar, Kallakuruchi/the second respondent herein in regard to the petitioner's land bearing Patta No.240 in S.Nos.70/4D, 4B, Keelpoondi Village and quash the same.

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For petitioner in both the WPs — Mr.L.P. Balaji Ram for Mr. G. Ramadurai

For RR 1 & 2 in both the WPs — Mr. P.S. Sivashanmugasundaram Special Government Pleader

COMMON ORDER

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

These writ petitions are filed challenging the notices dated --.02.2015 issued by the second respondent, whereby and whereunder, the petitioners have been directed to remove the encroachments made in the village patta lands within a period of 7 days, failing which, it was observed that the cart track encroachments will be removed.

2 Today, when the writ petitions were taken up for hearing, the learned Special Government Pleader appearing for the official respondents submitted that the impugned notices have been issued to point out that there are encroachments on the cart track, which are admittedly, on the private patta land of the petitioners. Thus, the encroachments cannot be removed without following the due process of law as the cart track is not on the Government land.

Recording the above submission made by the learned Special Government Pleader, these writ petitions are closed. No costs. Connected Miscellaneous Petitions are closed.

cad

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1 The District Collector
Villupuram

2 The Tahsildar
Kallakuruchi Taluk
Kallakuruchi
Villupuram District

+ 1 cc to Mr.G.Ramadurai, Advocate SR 19619

ggk(co)
prk27/5

W.P. No.7658 and 7812 of 2015

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