

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 16-04-2015

CORAM:

THE HONOURABLE MR. JUSTICE SATISH K. AGNIHOTRI
AND
THE HONOURABLE MR. JUSTICE M. VENUGOPAL

Writ Petition No.9685 of 2015
and M.P.No.1 of 2015

1 Mrs.Lourd Mary
W/o.Charles Stephen Sagaya Nagar Budhur
Esoor (Post) Maduranthakam Taluk
Kancheepuram District. Petitioner

Vs

1 The District Collector
Kancheepuram District Kancheepuram
Tamil Nadu.
2 The Tahsildar
Maduranthakam Taluk Maduranthakam
Kancheepuram District. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus restraining the respondents from hastily demolishing the petitioners house at Sagaya Nagar Budhur Village Esoor (Post) Maduranthakam Taluk Kancheepuram District Tamilnadu without passing appropriate orders on the petitioners representations including the one dated 12.02.2015 in compliance with this Honourable Court order dated 08.12.2014 made in WP.Nos.9635 and 9636 of 2010 with a further direction to the respondents to follow the due process of law.

For petitioner :: Mr V.J. Arul Raj
For respondents :: Mr.P.S.Shivashanmugha Sundaram,
Spl.G.P.

ORDER

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

The petitioner has come forward with the present petition seeking for a writ of mandamus restraining the respondents from hastily demolishing her house at Sagaya Nagar, Budhur Village, Esoor

(Post), Maduranthakam Taluk, Kancheepuram District, Tamilnadu without passing appropriate orders on her representations including the one, dated 12.02.2015, in compliance with the order of this Court, dated 08-12-2014, in WP.Nos.9635 and 9636 of 2010 with a further direction to the respondents to follow the due process of law.

2. The learned Special Government Pleader appearing for the respondents, referring to the counter affidavit dated 09-04-2015 filed by the second respondent, submits that the first respondent had already initiated action to verify as to whether the petitioner is entitled for grant of patta or not and in that view of the matter, he sought that the respondents be granted some time to verify facts and take a decision in accordance with law and on its own merits and submitted that for the said period, no action shall be taken.

3. In view of the aforesaid submission made by the learned Special Government Pleader, the learned counsel for the petitioner submits that the petition may be disposed of with a direction to maintain status quo, till a proper decision is taken.

4. We have examined all the facts. We are of the considered view that it will be in the fitness of things to grant eight weeks' time to the authorities to take appropriate action in accordance with law and on its own merits. Till such time, status quo as obtained on 01-04-2015 in respect of the property in question, shall continue.

5. The writ petition is disposed of, accordingly. No costs. The connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

glp

To

1 The District Collector
Kancheepuram District Kancheepuram
Tamil Nadu.

2 The Tahsildar
Maduranthakam Taluk Maduranthakam
Kancheepuram District.

1 cc to Government Pleader, Sr.No21050

1 cc to Mr.V.J. Arul Raj, Advocate, SR.No.20661

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