

THE HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.7982 of 2007

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ORDER :

The present writ petition is filed by the petitioners on the basis of the apprehension that the Revenue Authorities may dispossess them from the lands in question without following due process of law.

2. This Court passed an interim order dated 05-07-2007 in W.P.M.P. No.10250 of 2007 in W.P. No.7982 of 2007 as follows :

“Though the writ petition was admitted on 17-04-2007, no counter-affidavit has been filed.

Learned counsel for petitioners submits that though the lands in question are ancestral properties of the petitioners and they have been in possession of the said lands from the year 1920 onwards, they are sought to be evicted by the respondents without any notice and without following due process of law.

In that view of the matter, there shall be a direction to the respondents, not to evict the petitioners from the lands in question without following due process of law, if they are in possession of the said lands as on today.”

3. It is the case of the petitioners that they are in possession at the time of passing of such an order by this Court.

4. Having heard the learned counsel on either side, this Court is of the view that the Writ Petition can be disposed of, since it is based only on the apprehension that the Revenue Authorities may dispossess the petitioners when they are in possession. The respondent – Revenue Authorities are directed not to dispossess the petitioners, if they establish their possession in the respective survey numbers, without following due process of law.

5. Accordingly, the Writ Petition is disposed of. Even though W.P.M.P.

No.37344 of 2015 was ordered on 02-12-2014 impleading the Respondents 4, 5 and 6, these respondents are nothing to do with the prayer made in the main writ petition. If the petitioners have any grievance against the respondents those who are impleaded, they can approach the appropriate forum seeking appropriate relief. No order as to costs.

6. As a sequel, miscellaneous petitions pending, if any, in this Writ Petition are closed.

JUSTICE RAJA ELANGO

18th March, 2015

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