

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 18.10.2016

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice R.MAHADEVAN

W.P.No.31079 of 2014

M.Jeyamalini

... Petitioner

Versus

1.The District Collector,
Chennai District,
Chennai 600 001.

2.The Tahsildar,
Aminjikkarai Taluk,
Koyambedu, Chennai 600107.

3.Chennai Metropolitan Development Authority,
rep. by its Member Secretary and Chief Executive Officer,
No.1, Gandhi Irwin Road, Egmore,
Chennai 600 008.

4.M/s.Chennai Metro Rail Ltd.,
Administration Building
CMRL Depot, Poonamallee High Road,
Koyambedu, Chennai 600107.

5.The Assistant Commissioner of Police
Koyambedu Range,
Chennai 600107.

6.The Inspector of Police,
Koyambedu Police Station,
Chennai 600 107.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a Writ of Declaration or any other order or direction in the nature of a Writ, declaring the entire actions of the 3rd respondent right from the issuance of Notice dated 22.08.2014 under Section 7 of the Provisions of the Tamil Nadu Land Encroachment Act, 1905 till the forcible eviction of the petitioner and demolition of the building on 17.11.2014, as illegal, null and void and consequently direct the respondents to restore the possession of the land comprised in Old S.No.160/4 (Part), T.S.No.48/2, Koyambedu Village,

Aminjikarai Taluk, Chennai District, measuring to an extent of 1200 sq.ft., bearing New Door No.10A, Old Door No.1A, Srinivasa Nagar Main Road, Koyambedu, Chennai 600 107 along with the damages and compensation of Rs.5.00 lakhs to the petitioner.

For Petitioner ::: Mr.K.Premkumar

For Respondents ::: Mr.Jayesh B Dolia for R.4

Mr.R.Vijayakumar AGP for R.1, 2,
5 and 6

Mr.C.Johnson for R.3

O R D E R

(The Order of the Court was made by
The Hon'ble The Chief Justice)

The petitioner has no patta to the land. The petitioner seeks to invoke jurisdiction of this Court under Article 226 of the Constitution of India in respect of a notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, instead of preferring a response to the same.

It is stated that the structure already stands demolished.

In view of the aforesaid, no ground is made to intervene.

The writ petition accordingly stands dismissed, leaving the parties to bear their own costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

ksr

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To

1.The District Collector,Chennai District, Chennai 600 001.

2.The Tahsildar, Aminjikkarai Taluk, Koyambedu,
Chennai 600107.

3. The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road, Egmore, Chennai 600 008.

4.M/s.Chennai Metro Rail Ltd.,
Administration Building, CMRL Depot, Poonamallee High Road,
Koyambedu, Chennai 600107.

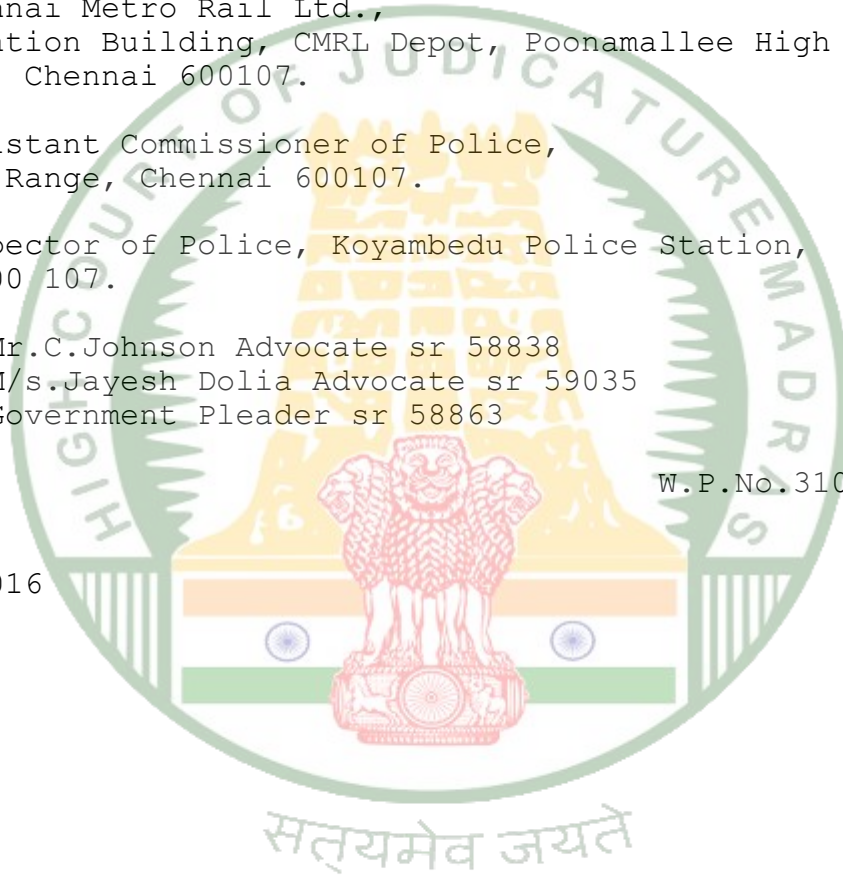
5.The Assistant Commissioner of Police,
Koyambedu Range, Chennai 600107.

6.The Inspector of Police, Koyambedu Police Station,
Chennai 600 107.

+1 cc to Mr.C.Johnson Advocate sr 58838
+1 cc to M/s.Jayesh Dolia Advocate sr 59035
+1 cc to Government Pleader sr 58863

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