

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 29.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.Nos.16393 and 16394 of 2016 &
W.M.P.Nos.14186 and 14187 of 2016

Meenakshi Sundaram .. Petitioner in
W.P.No.16393 of 2016

Jayaraman .. Petitioner in
W.P.No.16394 of 2016

Versus

- 1.The District Collector,
Thiruvallore District,
Thiruvallore.
- 2.The Tahsildar,
Tiruttani Taluk.
- 3.The Commissioner of Land Administration,
Chepauk, Chennai-5. .. Respondents in both WPs'

Prayer in both Writ Petitions: These Writ Petitions are filed under Article 226 of the Constitution of India, seeking for a Writ of Declaration, to declare that the property of the petitioners in Dry S.No.195/32 (Old S.No.195) - 0.2.00 hectares (2,400 sq.ft); Dry S.No.195/31 (Old S.No.195) - 0.2.00 hectares (2,400 Sq.ft), respectively situate at Harichandrapuram Village, Tiruttani Taluk, Thiruvallore District, are not covered under any Land Acquisition Proceedings or under Urban Land Ceiling Proceedings and also forbear the respondents from in any way interfering in the petitioners properties respectively, except under due process of law.

For Petitioner in
both Writ Petitions : Mr.N.Suresh

For Respondents in
both Writ Petitions : Mr.M.L.Mahendran
Government Advocate

C O M M O N O R D E R

Heard Mr.N.Suresh, learned counsel appearing for the petitioner in both Writ Petitions and Mr.M.L.Mahendran, learned Government Advocate, accepting notice on behalf of respondents in both Writ Petitions. With the consent of the learned counsel on either side, the Writ Petition is taken up for final disposal.

2. The petitioners have filed the above Writ Petitions seeking for the following relief:-

"For Writ of Declaration, to declare that the property of the petitioners in Dry S.No.195/32 (Old S.No.195) - 0.2.00 hectares (2,400 sq.ft); Dry S.No.195/31 (Old S.No.195) - 0.2.00 hectares (2,400 Sq.ft), respectively situate at Harichandrapuram Village, Tiruttani Taluk, Thiruvallore District, are not covered under any Land Acquisition Proceedings or under Urban Land Ceiling Proceedings and also forbear the respondents from in any way interfering in the petitioners properties respectively, except under due process of law."

3. Admittedly, the petitioners have been put on notice that their lands have been taken over by the Government in G.O.Ms.360, High Courts IIA Department, dated 03.04.2001. The petitioners have sought for certain information under the Right to Information Act and one pursuing the matter before Public Information Officer concerned. Therefore, the declaratory relief sought for cannot be granted that too to declare a proceeding to be illegal, based on the Certificate issued by the Village Administrative Officer.

4. Therefore, the petitioners have to pursue the matter before the concerned Authority either before the second respondent or third respondent and then, if they are still aggrieved, can agitate the matter in the manner known to law.

With the above observations, these Writ Petitions are disposed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Thiruvallore District,
Thiruvallore.

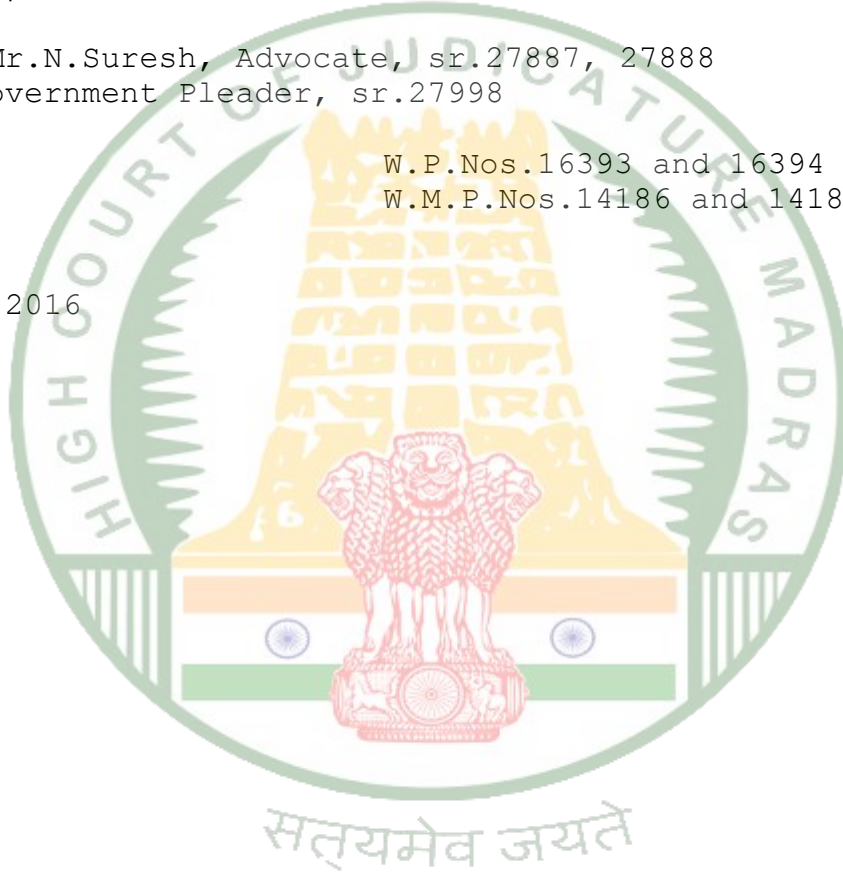
2.The Tahsildar,
Tiruttani Taluk.

3.The Commissioner of Land Administration,
Chepauk, Chennai-5.

2 ccs to Mr.N.Suresh, Advocate, sr.27887, 27888
1 cc to Government Pleader, sr.27998

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