

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2016

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THE HONOURABLE MR.JUSTICE M.JAICHANDREN

W.P.Nos.2181 of 2015 and 8336 of 2013

And

M.P.Nos.1 of 2015 and 1 of 2013

W.P.No.2181 of 2015:

M.Sampath Kumar

... Petitioner

Vs.

- 1 The District Collector
Vellore District,
Office of the Collector,
Sathuvachari, Vellore-9.
- 2 The Revenue Divisional Officer,
Office of the Divisional Officer Complex,
Ranipet, Vellore District.
- 3 The Tahsildar,
Office of the Tahsildar,
Walajahpet, Vellore District.
- 4 The Village Administrative Officer
Ammoor Village, Walajahpet Taluk,
Vellore District.
- 5 The Executive Officer,
Ammoor Panchayat,
Ammoor Village, Walajah Taluk,
Vellore District.
- 6 The Sub Registrar,
Office of the Sub Registrar,
Walajahpet.
- 7 T.Perumal
- 8 P.Devarajan
- 9 K.Sahadevan
- 10 P.M.Mani

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents 1 to 6 to prevent the lands morefully described in the schedule Survey No.378/5A measuring 12.5 hectares, Survey No.377/1 measuring 0.085 Hect. Survey No.393/1 measuring 0.28.5 Hect., Survey No.391/1 measuring 0.03.5 Hect., Survey No.377/5 measuring 0.01.5 Hect., Survey No.392/2 measuring 0.01.5 Hect., Survey No.378/5B measuring 0.09.0 Hect. and in this there is a well along with 3 HP motor pumpset thereon in this 3/8th shares in Ammoor Village, Walajah Taluk, Vellore District from being converted into housing plots, obliteration, obstruction and leveling of the lake channels and feeder channels by the Respondents 7, 8, 9 and 10 or any other person.

For Petitioner : Ms.V.Anuradha

For Respondents: Mr.R.Ravichandran for R1 to R6
Additional Government Pleader
No Appearance for R7
Mr.J.Shanmugasundarababu
for R8 to R10

W.P.No.8336 of 2013:

M.Sampath Kumar ... Petitioner

Vs.

- 1 The Collector of Vellore District,
Sathuvachari, Vellore-9.
- 2 The Revenue Divisional Officer,
Office of the Revenue Divisional Officer Complex,
Ranipet.
- 3 The Tahsildar,
Walajapet.
- 4 The Village Administrative Officer
Ammoor Walaja Taluk.
- 5 The Executive Officer,
Ammoor Panchayat,
Ammoor Walajah Taluk.
- 6 T.Perumal ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents 1 to 5 not to give approval for converting the 6th respondent's agricultural land into plots as per the representation given by the petitioner dated 23.02.2013 to the respondents 1 to 5.

For Petitioner : Ms.V.Anuradha

For Respondents: Mr.R.Ravichandran for R1 to R4
Additional Government Pleader
Mr.R.Govindasamy for R5
Mr.V.S.Jagadeesan for R6

C O M M O N O R D E R

A common order is being passed in both the writ petitions, as the issues raised before this Court in the said writ petitions are similar in nature.

2.The main contention of the learned counsel appearing on behalf of the petitioner in the above writ petitions is that one T.Perumal, who is the sixth respondent in W.P.No.8336 of 2013 and the seventh respondent in W.P.No.2181 of 2015 is converting his agricultural lands into housing plots, without obtaining the necessary permission from the authorities concerned. It has also been submitted that the channel supplying water to the lands belonging to the petitioner and certain other persons in Ammoor Village, Walajah Taluk, is being obliterated by the eighth to tenth respondents, who have purchased the property belonging to T.Perumal. The eighth to tenth respondents have also been converting the agricultural lands in question into housing plots, by levelling the feeder channels. Therefore, this Court had passed an interim order of status-quo, by its order, dated 30.01.2015, in M.P.No.1 of 2015, in W.P.No.2181 of 2015. The status-quo order passed by this Court, on 30.01.2015, is continuing till date.

3.Today, when the writ petitions were taken up for hearing, the learned Additional Government Pleader, appearing on behalf of the official respondents in the writ petitions, had submitted that the District Collector, Vellore District, the first respondent in the writ petitions would cause an enquiry with regard to the claims made by the petitioner and pass appropriate orders thereon, after giving an opportunity of hearing to the petitioner, as well as to the other persons concerned, who have interest in the lands in question.

4.In view of the said submissions made by the learned

Additional Government Pleader appearing on behalf of the official respondents, the District Collector, Vellore District, the first respondent in the writ petitions, is directed to cause an enquiry and to pass appropriate orders thereon, on the claims made by the petitioner in the above writ petitions, after giving an opportunity of hearing to all the persons concerned, within a period of eight weeks from the date of receipt of a copy of this order. In view of the earlier order passed by this Court, on 30.01.2015, in M.P.No.1 of 2015, in W.P.No.2181 of 2015, the parties shall maintain status-quo, with regard to the lands in question, till a final order is passed by the first respondent, as per the directions issued by this Court, by this order.

5.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

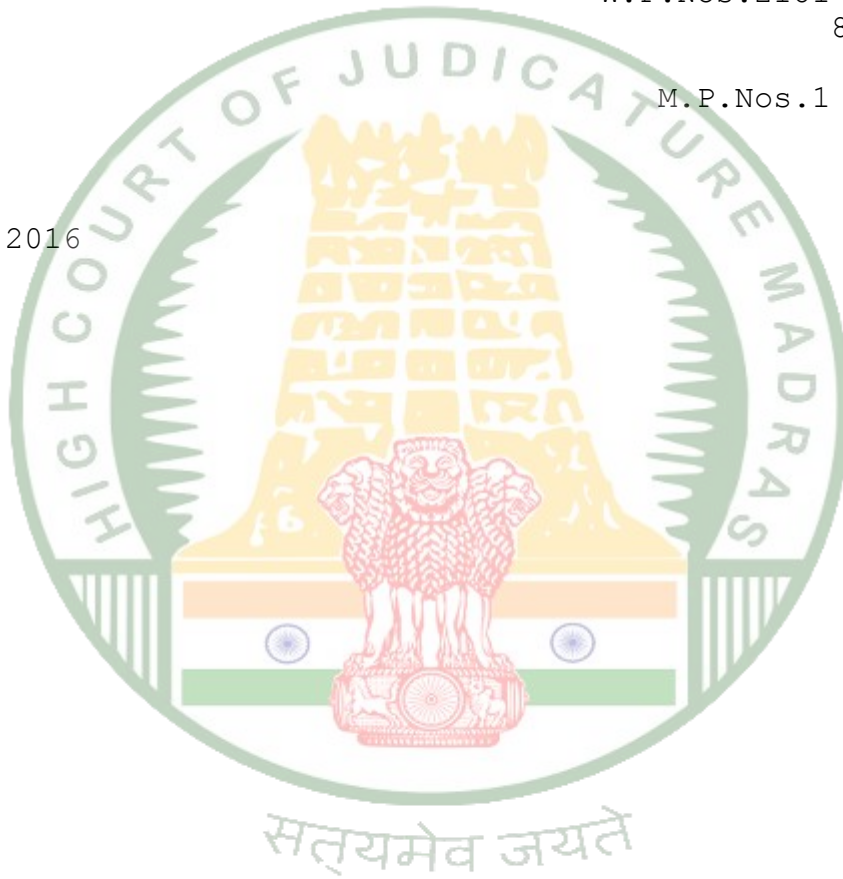
- 1 The District Collector
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Office of the Collector,
Sathuvachari, Vellore-9.
- 2 The Revenue Divisional Officer,
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Ammoor Village, Walajahpet Taluk,
Vellore District.
- 5 The Executive Officer,
Ammoor Panchayat,
Ammoor Village, Walajah Taluk,
Vellore District.

6 The Sub Registrar,
Office of the Sub Registrar,
Walajahpet.

3 ccs to Mr.T.Surendran, Advocate, sr.33741
1 cc to Mr.J.Shanmugasundarababu, Advocate, sr.33739
1 cc to V.S.Jagadeesan, Advocate, sr.33737
1 cc to The Government Pleader, sr.34142

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8336 of 2013
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