

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 28.6.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.Nos.20004 to 20010 of 2016
and
W.M.P.Nos.17236 to 17249 of 2016

A.Arunachalam Petitioner in W.P.No.20004 of 2016
A.Ramasamy Petitioner in W.P.No.20005 of 2016
A.Kolanchi Petitioner in W.P.No.20006 of 2016
K.Kullakgounder Petitioner in W.P.No.20007 of 2016
A.Mayavan Petitioner in W.P.No.20008 of 2016
R.Sekar Petitioner in W.P.No.20009 of 2016
K.Karupiah Petitioner in W.P.No.20010 of 2016

Versus

1 The District Collector
Salem District Salem
2 The President
Siruvachur Panchayat
Attur Taluk Salem District Respondents in all the 7 WPs

Prayer: Writ petitions are filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari calling for the records pertaining to the issue of the impugned order Na.Ka.No.1/2016 dated 11.05.2016 passed by the 2nd respondent and quash the same.

For petitioners : Mr.G.Mutharasu

For Respondents : Mrs.A.Srijayanthi, Special Govt. Pleader

COMMON ORDER

(Order of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the parties.

2. The writ petitions have been filed seeking issuance of writ of certiorari calling for the records pertaining to the issue of the impugned order Na.Ka.No.1/2016 dated 11.05.2016 passed by the 2nd respondent and quash the same.

3. The factual matrix behind the filing of this writ petition is as under:-

Originally, a writ petition in W.P.No.30306 of 2015 came to be filed by some villagers of Siruvachur Village, Attur Taluk, Salem District alleging about some encroachment of a river and oodai area in their village by one M.Chinnathambi, Periyasamy and Kullu Gounder under the guise of laying tar road and sought for a direction to the respondent-authorities therein to prevent the encroachment. While disposing of the said writ petition, by order dated 22.2.2016, a direction was issued to the authorities therein to consider the representation submitted by the petitioners therein, after affording opportunity to the necessary parties. Based on such order, it seems that the authorities had passed the impugned order directing the petitioners herein to vacate the land under their possession and enjoyment. The said order is under challenge in the present writ petitions.

4. The grievance of the petitioners is that without affording opportunity to them, the impugned order came to be passed by the second respondent, pursuant to the order passed by this court in W.P.No.30306 of 2015.

5. Therefore, it is for the second respondent authority to issue notice to the petitioners and other necessary parties and after hearing them, the second respondent shall pass appropriate orders on merits and in accordance with law, within a period of two months from the date of receipt of copy of this order. Status quo shall be maintained till then. The writ petitions are disposed of accordingly. No costs. The connected miscellaneous petitions are closed.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To:

- 1 The District Collector
Salem District Salem

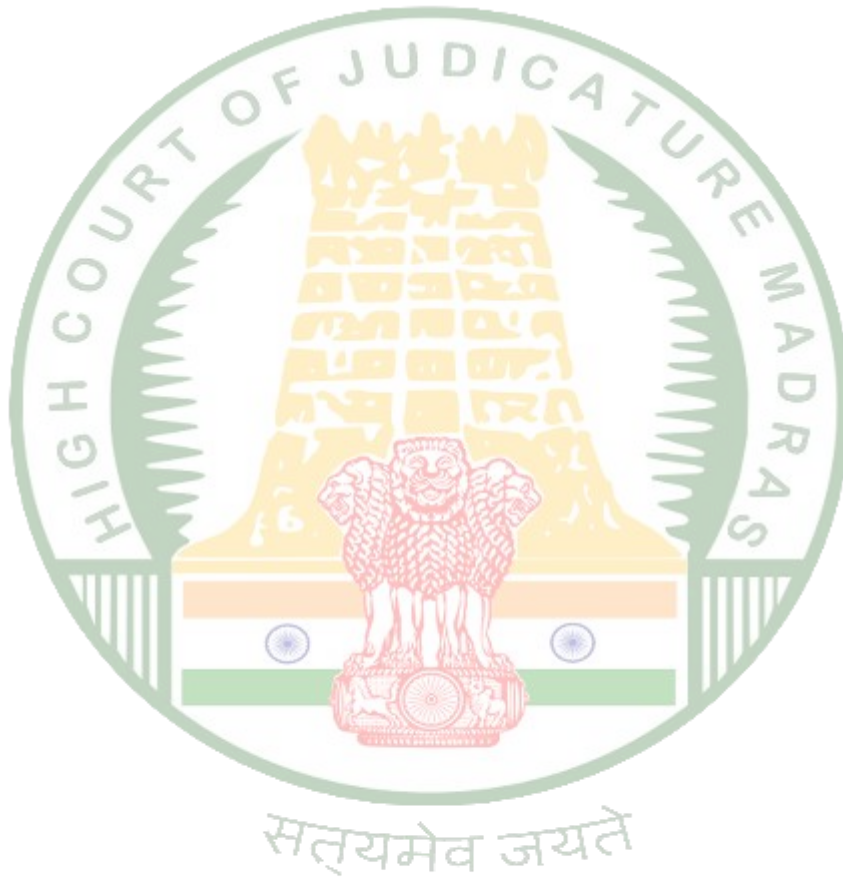
2 The President
Siruvachur Panchayat
Attur Taluk Salem District

+1 cc to Mr.G.Mutharasu, advocate,sr.36444

+1 cc to Govt.Pleader,sr.36129.

kji(co)
krd 2/8

W.P.Nos.20004 to 20010 of 2016



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