

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2016

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE Dr. JUSTICE P.DEVADASS

W.P.Nos.34956 and 34957 of 2015

Elumalai .. Petitioner in
W.P.No.34956 of 2015

R.Nithiyakalyani .. Petitioner in
W.P.No.34957 of 2015

Vs.

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.The Tahsildar,
Sholinganallur Taluk,
Sholinganallur,
Kancheepuram District.

3.The Revenue Inspector,
Pallikaranai Firka,
Sholinganallur Taluk,
Kancheepuram District.

.. Respondents in
both the W.Ps

Petitions filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents to restore the possession of the building and shops of the petitioners as stood prior to 27.10.2015, direct the respondents jointly or severally to pay the compensation of Rs.10 lakhs for demolition and destruction of the said shop and house of the petitioners comprised in Survey No.209/3, bearing Door Nos.4/655 and 4/647, to an extent of 0.04 cents each situated in Old Mahabalipuram Road, Mootaikaran Chavadi, Okkiyam Thuraipakkam, Chennai - 96, Kancheepuram District.

For Petitioner .. Mr.M.Rajasekhar
in both the W.Ps

For Respondents .. Mr.P.S.Sivashanmugha Sundaram,
Spl. Govt. Pleader
in both the W.Ps

COMMON ORDER

(Order of the Court was made by SATISH K.AGNIHOTRI, J.)

With the consent of the learned counsel for the parties, the writ petitions are taken up for final disposal.

2.By these writ petitions, the petitioners seek to redress the grievance that without waiting for 30 days' time given in the notices, the buildings and shops have been demolished under the garb of being unauthorised construction.

3.During the pendency of the writ petitions, the appeals preferred by the petitioners have been dismissed by the District Collector, Kancheepuram vide proceedings in Na.Ka.No.8441/2006/N1 dated 07 January 2016 and as such, nothing survives for adjudication in these writ petitions.

4.In view of the above, these writ petitions shall stand dismissed. However, liberty is reserved to take recourse to appropriate forum for compensation under the provisions of law, if so advised. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.The Tahsildar,
Sholinganallur Taluk,
Sholinganallur,
Kancheepuram District.

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3.The Revenue Inspector,
Pallikaranai Firka,
Sholinganallur Taluk,
Kancheepuram District.

+2cc to Mr.M.Rajasekhar, Advocate, S.R.No.2588 & 2589
+1cc to the Government Pleader, S.R.No.2330

W.P.Nos.34956 and 34957
of 2015

pa (CO)
srg (03/02/2016)



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