

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2016

CORAM

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

Writ Petition Nos.7161 and 7162 of 2015
and MP.Nos. 1 of 2015 (2 petitions)

R.Jayaraj ...Petitioner in W.P.No.7161 of 2015

S.Sivasami ...Petitioner in W.P.No.7162 of 2015

vs.

1.The District Collector
Ariyalur District
Ariyalur.

2.The Tahsildar
Ariyalur Taluk
Ariyalur District

3.The President
Rayampuram Panchayat
Rayampuram
Ariyalur District

...Respondents in both WPs.

Prayer in W.P.No.7161 of 2015:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the Impugned Notice issued by the 3rd respondent dated 25.02.2015, quash the same and consequently direct the respondents to forbear themselves from interfering with the peaceful possession and enjoyment of the petitioner over the land and premises in New Survey No.404/6, Old Survey No.404/1 (Part) in Rayampuram Village, Ariyalur Taluk, Ariyalur District. Prayer in W.P.No.7162 of 2015:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the Impugned Notice issued by the 3rd respondent dated 25.02.2015, quash the same and consequently direct the

respondents to forbear themselves from interfering with the peaceful possession and enjoyment of the petitioner over the land and premises in New Survey No.413/12, Old Survey No.413 (Part) in Rayampuram Village, Ariyalur Taluk, Ariyalur District.

For Petitioner
in both WPs : Mr.K.S.Kumar

For Respondents
in both W.Ps : Mr.P.S.Sivashanmuga Sundaram
Spl.Govt.Pleader for R1 and R2
Mr.N.Inbanathan for R3

COMMON ORDER

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

Heard Mr.K.S.Kumar, learned counsel for the petitioners, Mr.P.S.Sivashanmuga Sundaram, learned Special Government Pleader, who took notice on behalf of respondents 1 and 2 and Mr.N.Inbanathan, learned counsel for the 3rd respondent.

2. These writ petitions are filed praying to quash the Impugned Notice issued by the 3rd respondent dated 25.02.2015 and consequently direct the respondents to forbear themselves from interfering with the peaceful possession and enjoyment of the petitioners over the land and premises in the Survey Numbers mentioned in the prayer referred above.

3. It is seen that by the impugned Notice, dated 25.02.2016, the third respondent informed the petitioners that they have encroached the cart track Poramboke lands in the Rayampuram Panchayat, Rayampuram, Ariyalur District and further informed to remove the said encroachments within 7 days of the receipt of the said notice.

4. It is for the petitioners to give reply to the respondents including the 3rd respondent herein and substantiate their contention as regards the Patta granted in favour of them by the Revenue Authorities, if any. The 3rd respondent, in turn, is directed to consider the reply, filed by the Petitioners and the documents produced by them and prepare a report on it. The respondents 1 and 2 are further directed to call for the report of the 3rd respondent and take appropriate action within two months from the date of receipt of a copy of this order. Till then, status quo as on date shall be maintained by the parties concerned.

5. The Writ Petitions are disposed of accordingly. No costs.
Connected MPs are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Ariyalur District,
Ariyalur.

2.The Tahsildar,
Ariyalur Taluk,
Ariyalur District.

3.The President,
Rayampuram Panchayat,
Rayampuram ,
Ariyalur District .

+1cc to Mr.K.S.Kumar, Advocate Sr.38553

+1cc to the Government Pleader sr.39163

W.P.Nos.7161 and 7162 of 2015

ctk[col]
srg 01/08/2016

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