

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.23667 to 23671 of 2016
and
WMP.Nos.20256 to 20265 of 2016

R.Desammal ...Petitioner in W.P.No.23667/2016
Sathya @ Sakthivel ...Petitioner in W.P.No.23668/2016
Salammal ...Petitioner in W.P.No.23669/2016
Govindammal ...Petitioner in W.P.No.23670/2016
Lakshmi ...Petitioner in W.P.No.23671/2016

Vs.

- 1 The District Collector
Thiruvallur District
Thiruvallur.
- 2 The Revenue Divisional Officer
Tiruttani
Thiruvallur District.
- 3 The Tahsildar
Tiruttani Taluk
Thiruvallur District.
- 4 The Revenue Inspector
Kanagammachathiram
Tiruttani Taluk
Thiruvallur District. ...Respondents in all WPS.

Prayer in W.P.Nos.23667 TO 23671/2016: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the notice issued by the 4th respondent dated Nil and quash the same as illegal, incompetent and ultravires and consequently direct the respondents to issue patta for the house of the petitioner in S.No.211/1, Panapakkam, Kanagammachathiram Village, Tiruttani Taluk, Thiruvallur District by considering the petitioner's representations dated 10.11.2014 and 7.10.2015 respectively.

For Petitioner
in all Writ Petitions : Mr.V.Stalin for
Mr.R.Jayaprakash

For Respondents : Mr.P.S.Sivashanmugasundaram
Special Government Pleader

O R D E R

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

Heard the learned counsel appearing for the petitioners and Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader, who takes notice for the respondents.

2. The prayer in the Writ Petitions is for quashing the impugned Notice dated Nil issued by the 4th respondent and for a direction to the respondents to issue patta for the houses of the petitioners, in the address, mentioned in the prayer.

3. On a perusal of the impugned Notice, it is seen that the same was issued under Section 7 of the Tamil Nadu Act III of 1905, informing the petitioners that they have occupied the land mentioned in the said notice without obtaining any permission of the authorities and as such, as to why they should not be evicted from the said land.

4. The petitioners also not filed any reply to the above Notice so far, however, approached this court, seeking to quash the said Notice and for a direction to the respondents to issue patta for their houses.

5. It is to be noted that the respondents have acted following the procedure of law and by following the Land Encroachment Rulings prescribed under the Tamil Nadu Act III of 1905 and therefore, we are of the considered view that there is no scope for interference in the Notice issued by the 4th respondent as the respondents acted by following the procedure of law.

6. In any event, it is for the petitioners to give reply to the notice to respondents 1 to 4 and make out a case, within one month from the date of receipt of a copy of this order. The respondents 1 to 4 shall consider the reply filed by the petitioners and take appropriate action within 1 month thereafter. Till then, the parties are directed to maintain status quo.

7. The Writ Petitions are disposed of with the above direction. No costs. Consequently connected MPs are closed.
nvsri

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1 The District Collector
Thiruvallur District
Thiruvallur.
 - 2 The Revenue Divisional Officer
Tiruttani, Thiruvallur District.
 - 3 The Tahsildar
Tiruttani Taluk
Thiruvallur District.
 - 4 The Revenue Inspector
Kanagammachathiram, Tiruttani Taluk
Thiruvallur District.
- + 5 ccs to Mr.R.Jayaprakash, Advocate Sr 38841 to 38845
+ 1 cc to The Govt. Pleader, Sr 39161

KR/26/7/16

W.P.Nos.23667 to 23671 of 2016

WEB COPY