

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2016

CORAM

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

Writ Petition Nos.25572 to 25575 of 2016  
and connected WMPs

Malarkodi ...Petitioner in W.P.25572/2016  
V.Murugan ...Petitioner in W.P.25573/2016  
A.Saradha ...Petitioner in W.P.25574/2016  
J.Radha ...Petitioner in W.P.25575/2016

Vs.

1.The District Collector  
Villupuram  
Villupuram District

2.The Junior Engineer  
Water resource Organization  
Public Work Department  
Ulundurpettai  
Villupuram District

... Respondents/Respondents in all

WPs

Prayer in all the above W.Ps:- Writ Petitions filed praying to issue a Writ of Certiorari directing to call for the records pertaining to the impugned eviction notice issued by the 2<sup>nd</sup> respondent dated 18.08.2015 and quash the same.

For Petitioners : Mr.G.Ranganathan  
in all WPs

For Respondents : Mrs.A.Srijayanthi, Spl.Govt.Pleader  
in all WPs

COMMON ORDER

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

Heard the learned counsel for the Petitioners and Mrs.A.Srijayanthi, learned Special Government Pleader, who accepts notice for respondents 1 and 2.

2. In the Writ Petitions, it is averred that the petitioners occupied some extent of State Highway Poramboke, constructed houses

and living for more than four decades. It is further averred that the 2<sup>nd</sup> respondent issued impugned eviction notice dated 18.08.2015 without contemplating to Rule-5 of the Tamil Nadu Protection of Tank and Eviction Encroachment Act, 2007.

3. It appears that as against the impugned Notice dated 18.08.2015, the petitioners filed a representation/reply dated 20.08.2015 to the 1<sup>st</sup> respondent. Therefore, the 1<sup>st</sup> respondent is directed to consider the said representation/reply of the petitioners dated 20.08.2015 and pass appropriate orders in accordance with law. It is made clear that the respondents 1 and 2, shall give one month time to the petitioners to remove the encroachment on their own, failing which, the authorities shall take action including forcible eviction of the petitioners on or before 31<sup>st</sup> August 2016.

4. The Writ Petition is disposed of with the above direction. No costs. Consequently, connected WMPs are closed.

Sd/-  
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

1.The District Collector  
Villupuram  
Villupuram District

2.The Junior Engineer  
Water resource Organization  
Public Work Department  
Ulundurpettai  
Villupuram District

+1 cc to Mr.G.Ranganathan, Advocate,sr.41651, 41654, 41655 & 41656

+1 cc to Govt.Pleader,sr41928.

pvr(co)  
krd 5/8

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