

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

W.P.No.29066 of 2016

1.Usha
2.Meena @ Veena
3.Savithri Nair

... Petitioners

Versus

1. The Cantonment Executive Officer
St. Thomas Mount
Chennai - 600 016

2. The Estates Officer
C/o. Cantonment Executive Officer
St. Thomas Mount
Chennai - 600 016

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari to call for the records comprised in Public Premises Civil Miscellaneous Appeal No. 11 of 2002 dated 16.03.2016 on the file of the Principal District Judge, Chengalpattu, quash the same.

For Petitioners : Mr. G.Rm. Palaniappan

For Respondents : Mr. C. Mohan
for M/s. King & Patridge for R1

ORDER

Today, when the writ petition is taken up for hearing, the learned counsel for both sides brought to the notice of this Court the judgment passed by the Honourable Supreme Court in Civil Appeal No. 9728 to 9729 of 2016 (arising out of SLP (C) No. 20677-20688 of 2016) dated 27.09.2016 wherein the Honourable Supreme Court has given an ultimatum for demolishing the illegally constructed building in the cantonment area. It was further directed that the Cantonment Boards should be vigilant and ensure that no further encroachments are made on defence land.

2. At this stage, the learned counsel for the petitioners fairly submitted that the petitioners have filed an affidavit of undertaking on 10.09.2016 expressing their willingness to handover the vacant possession of the land in their occupation to the respondents on or before 31.12.2016. The said statement made in the affidavit of undertaking dated 10.09.2016 is

recorded. Suffice it to state that the petitioners shall, as undertaken by them, vacate and handover the vacant possession of the premises in question to the respondents on or before 31.12.2016, failing which, it will be open to the respondents to evict the petitioners from the premises in occupation without any further reference to this Court.

3. Accordingly, by recording the affidavit filed by the petitioners on 10.09.2016 undertaking to vacate the premises in question on or before 31.12.2016, the writ petition is disposed off. No costs. The affidavit of undertaking filed by the petitioners on 10.09.2016 shall form part of the records.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

rsh

To

The Principal District Judge,
Chengalpattu.

+1cc to Mr.G.Rm. Palaniappan, Advocate, S.R.No.62277
+1cc to M/s. King & Patridge, Advocate, S.R.No.62419

W.P.No.29066 of 2016

CA(05/12/2016)

सत्यमेव जयते

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