

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.08.2016

CORAM

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

Writ Petition Nos.29452 and 29453 of 2016

R.Ranganathan ..Petitioner in W.P.No.29452 of 2016
K.Murugan ..Petitioner in W.P.No.29453 of 2016

Vs.

1. The Principal Secretary,
Government of Tamil Nadu, Revenue Department,
Chennai - 9
2. The District Collector,
Kancheepuram District
3. The Commissioner & Secretary,
Department of Revenue,
Govt., of Tamil Nadu,
Chennai - 9
4. The Panchayat Chairman,
Nanmangalam Panchayat
Sholinganallur Taluk
5. The Block Development Officer,
Chitlapakkam, Kancheepuram District
6. The Village Administrative Officer,
Nanmangalam Panchayat,
Nanmangalam, Chennai - 129
7. The Revenue Inspector,
Pallikaranai Firka
Chennai - 600 100
8. The Commissioner,
Urban Ceiling and Urban Land,
Ezhilagam, Chennai - 5
9. The Tahsildar,
Sholinganallur,
Kancheepuram District ..Respondents in both the petitions

Prayer : Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the entire records of notice issued by 9th respondent vide ref. e/f/ 12661/2013/A1 M1 dated 19.07.2016 and quash the same.

For Petitioners : Mr.K.Muruganantham

For respondents : Mrs.A.Sri Jayanthi
Special Government Pleader

C O M M O N O R D E R

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

Heard Mr.K.Muruganantham, learned counsel appearing for the petitioners and Mrs.A.Sri Jayanthi, learned Special Government Pleader appearing for the respondents.

2. Since the issue involved in both the Writ Petitions are one and the same, they are taken up together and disposed of by a common order.

3. The petitioners are before this court challenging the proceedings of the 9th respondent, wherein, notice was issued Section 6 of the Land Encroachment Act, 1905, directing the petitioners to remove the encroachment made in the lands mentioned therein, within 15 days of the said notice.

4. As against the notice issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, the remedy for the petitioners is to file appeal under Section 10-A of the Act, before the District Collector. Hence, it is for the petitioners to file appeal before the concerned District Collector within 15 days from the date of receipt of a copy of this order. The District Collector, in turn, is directed to consider the appeal and pass necessary orders in accordance with law, within 3 months thereafter. Till a decision is taken by the District Collector in this regard, there shall be an order of status quo.

5. The Writ Petitions are disposed of with the above direction. No costs. Consequently, connected WMPs are closed.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

To

1. The Principal Secretary,
Government of Tamil Nadu, Revenue Department,
Chennai - 9
2. The District Collector,
Kancheepuram District
3. The Commissioner & Secretary,
Department of Revenue,
Govt., of Tamil Nadu,
Chennai - 9
4. The Panchayat Chairman,
Nanmangalam Panchayat
Sholinganallur Taluk.
5. The Block Development Officer,
Chitlapakkam, Kancheepuram District
6. The Village Administrative Officer,
Nanmangalam Panchayat,
Nanmangalam, Chennai - 129
7. The Revenue Inspector,
Pallikaranai Firka
Chennai - 600 100
8. The Commissioner,
Urban Ceiling and Urban Land,
Ezhilagam, Chennai - 5
9. The Tahsildar,
Sholinganallur,
Kancheepuram District

+2 cc's to Mr.K.Muruganantham, advocate, sr.48792

+1 cc to Govt.Pleader, sr.48631.

sv(co)
krd 9/9

Writ Petition Nos.29452 and 29453 of 2016

WEB COPY