

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 2.9.2016

CORAM

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

W.P.No.30676 of 2016
and
W.M.P.No.26579 of 2016

1 L.Elumalai
2 E.Bharathy

...Petitioners

Versus

1 The Principal Secretary
Government of Tamilnadu
Revenue Department Chennai-9

2 The District Collector
Kancheepuram District

3 The Commissioner & Secretary
Department of Revenue
Government of Tamilnadu
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 Thasildar
Sholinganallur
Kancheepuram District

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari to call for the entire records of notice issued by 9th respondent vide ref.No.Na.Ka.12661/2013/A1 dated 19.7.2016 and quash the same.

For petitioners : Mr.M.N.Palanivel for
Mr.K.Muruganatham

For Respondents : Mrs.A.Srijayanthi,
Special Govt. Pleader

ORDER

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

Heard the learned counsel appearing for the petitioner and Mrs.A.Srijayanthi, learned Special Government Pleader, who takes notice on behalf of the respondents.

2. The writ petition has been filed seeking issuance of a writ of certiorari to call for the entire records of notice issued by 9th respondent vide ref.No.Na.Ka.12661/2013/A1 dated 19.7.2016 and quash the same.

3. The petitioners, who claim to be the owner of the land measuring 1816 sqft in Natham S.No.297/5 having purchased the same from one M.Visalakshi, are now aggrieved over the eviction notice issued by the ninth respondent alleging that they are encroachers.

4. As against the order passed by the Tahsildar, appeal remedy before the District Collector under section 10(a) of the Tamil Nadu Land Encroachment Act, 1905 is available to the petitioners. Therefore, the petitioners shall file an appeal before the District Collector, Kancheepuram District viz., the second respondent, if they are so advised, within a period of one week from the date of receipt of copy of this order and on filing of such appeal, the second respondent shall consider the same and pass orders on merits and in accordance with law, within a period of two months thereafter. Till then, status quo shall be maintained by the parties. The writ petition is disposed of accordingly. No costs. The connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

ssk

To:

- 1 The Principal Secretary
Government of Tamilnadu
Revenue Department Chennai-9
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Kancheepuram District
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Sholinganallur Kancheepuram District

1CC to Government Pleader, SR 50505

W.P.No.30676 of 2016

UG (CO)
PSI 04/10/2016

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