

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. Nos.31408 to 31412 and
31499 to 31505 of 2016
and

W.M.P.Nos.27257 to 27261 and
27332 to 27338 of 2016

K. Arayee .. Petitioner in WP.31408/2016
S. Selladurai .. Petitioner in WP.31409/2016
P. Rajammal .. Petitioner in WP.31410/2016
P. Murugan .. Petitioner in WP.31411/2016
G. Arayee .. Petitioner in WP.31412/2016
K. Lakshmi .. Petitioner in WP.31499/2016
E. Mallika .. Petitioner in WP.31500/2016
A, Oazgabuanak .. Petitioner in WP.31501/2016
K. Saroja .. Petitioner in WP.31502/2016
M. Janaki .. Petitioner in WP.31503/2016
M. Kanthammal .. Petitioner in WP.31504/2016
A. Nirmaladevi .. Petitioner in WP.31505/2016

-vs-

1.The State of Tamilnadu,
Rep. by its Secretary,
Revenue Department,
Fort St. George, Chennai-09.

2.The State of Tamilnadu,
Rep. by its Secretary,
Public Works Department,
Fort St. George, Chennai-09.

3.The District Collector,
Salem District, Salem 636 001.

4.The Commissioner,
Salem Municipal Corporation,
Salem 636 001.

5.The Tahsildar,
Salem Taluk, Salem District.

6.The Revenue Inspector,
Salem Town, Salem. ... Respondents in all Wps.

COMMON PRAYER:

These Writ Petitions are filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari to call for the records of impugned notice dated 16.08.2016 issued by the 6th respondent and quash the same.

For Petitioners : Mr.N.G.R.Prasad,
for Mr.M.Rajendiran
For Respondents : Mr.M.K.Subramanian
Govt. Pleader for RR 1 to 3, 5 & 6
: Mrs.K.Bhuvaneswari for R-4

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O R D E R
(Order of the Court was made by The Hon'ble Chief Justice)

The petitions seek to impugn the notice under Section 7 of the Land Encroachment Act, 3 of 1905. On hearing the learned counsel for the petitioners, we find the petitions premature as the petitioners are stated to have already filed a response to the same and no order has been passed one way or the other.

2.At this stage, learned counsel for the petitioners states

that post filing of the petitions, an adverse order has been passed. It is also not in dispute that this order is appealable. Thus, the parties will have to exhaust the appellate remedy.

3.Learned counsel for the petitioners states that the appeals would be filed within one (1) week from today. He seeks protection in the meantime.

4.It will be for the appellate authority to consider the issue of interim relief on the appeal being filed after one (1) week.

5.Writ petitions, accordingly, stand disposed of. No costs. Consequently, connected W.M.Ps. stand closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

sra

To

- 1.The Secretary,
State of Tamilnadu,
Revenue Department,
Fort St. George, Chennai-09.
 - 2.The Secretary State of Tamilnadu,
Public Works Department,
Fort St. George, Chennai-09.
 - 3.The District Collector,
Salem District, Salem 636 001.
 - 4.The Commissioner,
Salem Municipal Corporation,
Salem 636 001.
 - 5.The Tahsildar,
Salem Taluk, Salem District.
 - 6.The Revenue Inspector,
Salem Town, Salem.
- +1 cc to M/s.M.Rajendiran T.Arul Advocate sr 12248 12249
dt16/09/2016
+1 CC to M/s. K. Bhuvaneswari, Advocate, Sr.51222

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SED (CO)
MD : 09/09/2016