

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2016

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

W.P.Nos.373 & 381 of 2016  
and W.M.P.Nos.257 and 266 of 2016

1.M.Sindhu ... Petitioner in W.P.373/2016

2.M.Ravi .... Petitioner in W.P.381/2016

Vs.

1.The District Collector,  
Kancheepuram District,  
Kancheepuram.

2.The Tahsildar,  
Sriperambudur Taluk. ... Respondents in both W.Ps

Common Prayer: Petitions filed under Article 226 of The Constitution of India praying to issue a writ of Mandamus, forbearing the respondents from interfering with the petitioners' peaceful possession and enjoyment of the property situated at Survey Nos.241 & 242, Varadharajapuram, Sriperambudur Taluk, Kanchipuram District respectively.

For Petitioners: Mr.V.Raghavachari

For Respondent : Mr.Govindasamy,  
Nos.1 & 2 Addl. Government Pleader

COMMON ORDER

As the issues involved in both the writ petitions are one and the same, they are taken up together and disposed of by way of a common order.

2.Heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the respondents 1 & 2.

3.The learned counsel for the petitioners submitted that there is threat of dispossession of lands at the hands of the respondents, though the property belongs to the petitioners. He

also submitted that the petitioners have been in possession and enjoyment of the respective properties for quite a long time. The learned Additional Government Pleader submitted that the petitioners are encroachers of the Government lands and this fact is disputed by the learned counsel for the petitioners.

4.This Court cannot go into the dispute between the petitioners on the one hand and the respondents on the other hand about the ownership of the properties. Suffice it to dispose of the writ petitions, by giving an opportunity to the respondents to proceed as per law, if they are government properties. If the respondents take action on the premise that the properties are Government lands, it is needless to state that sufficient opportunities shall be given to the petitioners as per law.

5.With the above observations, these Writ Petitions are disposed of. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-  
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

DP

To

1.The District Collector,  
Kancheepuram District,  
Kancheepuram.

2.The Tahsildar,  
Sriperambudur Taluk.

2 ccs to Mr.V. Raghavachari, Advocate, Sr. 1221,1222  
2 cc to Government Pleder, Sr. 1368, 1411

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KGK (CO)  
kk 20/1