

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 26.10.2016

Coram:

The Honourable **Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE**

and

The Honourable Mr.Justice **R.MAHADEVAN**

W.P.Nos.37449 to 37458 of 2016

P.Venkatachalam

... Petitioner

Versus

1.The State

rep. by its Secretary to Government,
Revenue Department,
Fort St.George, Chennai 600 009.

2.The District Collector,
Erode District.

3.The Tahsildar,
Erode.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus, forbearing the respondents from evicting the petitioner pursuant to the order dated 07.10.2016 in Na.Ka.No.4634/2016/U1 of the 2nd respondent from the petitioner's property situate in S.No.71 of Kathirampatti Village in Erode Taluk, till the appeal filed by the petitioner dated 19.10.2016 before the 1st respondent under Section 10-A of the Tamil Nadu Land Encroachment Act, 1905 is disposed of by the 1st

respondent.

For Petitioner ::: Mr.A.L.Gandhimathi

For Respondents ::: Mr.M.K.Subramanian

Government Pleader for R1 to R.3

ORDER

(The Order of the Court was made by The Hon'ble The Chief Justice)

On hearing the learned counsel for the parties, learned counsel for the petitioner, after obtaining instructions post pass-over, states as under:

i) The petitioners do not seek to press the present writ petition, as also the revision petition filed by them.

ii) The petitioners will furnish an undertaking before the respondents/authorities within one week from today to hand over vacant and peaceful possession of the site on or before 15.01.2017.

iii) The petitioners will make representation to the concerned authorities for rehabilitation measures, which may be considered sympathetically.

2. We accept the prayer of the learned counsel for the

petitioners in the aforesaid terms subject to furnishing of the undertaking and we are assured the respondents/authorities would explore the possibilities of rehabilitation measures under any existing policies, if the petitioners are so aggrieved.

3. The writ petitions accordingly stand disposed of, leaving the parties to bear their own costs. Consequently, connected miscellaneous petitions are closed.

(S.K.K.,CJ.) (R.M.D.,J.)

25.10.2016

Note: Issue order copy on 02.11.2016.

ksr

To

1.The Secretary to Government,
Revenue Department, Fort St.George, Chennai 600 009.

2.The District Collector, Erode District.

3.The Tahsildar, Erode.

The Hon'ble The Chief Justice
and
R.Mahadevan, J

ksr

W.P.No.37449 to 37458 of 2016

25.10.2016