

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

WP.Nos.4379 to 4386 of 2016

and

WMP.Nos.3729 to 3736 of 2016

M.Dhanalakshmi ... Petitioner in W.P.4379 of 2016
A. Karpagam ... Petitioner in W.P.4380 of 2016
P.Ramu ... Petitioner in W.P.4381 of 2016
M.Nagarajan ... Petitioner in W.P.4382 of 2016
Alakubathirakali ... Petitioner in W.P.4383 of 2016
A.Palani ... Petitioner in W.P.4384 of 2016
M.Kannaki ... Petitioner in W.P.4385 of 2016
S.Thenmozhi ... Petitioner in W.P.4386 of 2016

Versus

1. The District Collector,
Kanchipuram District
2. The Tahsildar,
Sriperumbudur Taluk ... Respondents in all
W.Ps.

Prayer in W.P.No.4379 to 4381, 4383, 4384 & 4386 of 2016

Writ 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 situate at Survey No.242, Varadharajapuram, Sriperumbudur Taluk, Kanchipuram District.

Prayer in W.P.No.4382 & 4385 of 2016

Writ 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 situate at Survey No.246, Varadharajapuram, Sriperumbudur Taluk, Kanchipuram District.

For Petitioner in all W.Ps : Mr.V.Raghavachari

For Respondents in all W.Ps : Mr.R.A.S.Senthilvel,
A.G.P.

C O M M O N O R D E R

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

2. The portion of land situated at Survey Nos.242 and 246, Varadharajapuram, Sriperambudur Taluk, Kanchipuram District is under occupation of the petitioners and their family members. On 06.12.2015, some persons claiming to act under the direction of the first respondent entered into their premises and demanded to vacate the houses within 48 hours. Not a scrap of paper has been produced to show under what authority the first respondent is attempting to proceed against the petitioners. Patta has also been granted to the lands adjoining this property in S.No.241 and 246. Hence, the petitioners have come forward with the present writ petitions.

3. Heard the submissions of learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the respondents.

4. When the matter is taken up for consideration learned counsel for the petitioners submitted that there is a threat of dispossession of lands at the hands of the respondents, though the property belong to the petitioners. He also submitted that the petitioners have been in possession and enjoyment of the respective properties for quite long time.

5. The learned Additional Government Pleader denied the said facts stating that the petitioners have encroached upon the Government lands.

6. Considering the facts and circumstances, without going into the dispute between the parties, suffice it to dispose of the writ petitions, by directing 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 petitioner as per law.

7. With the above observations, these Writ Petitions are disposed of. Consequently, connected Miscellaneous Petitions are closed. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The District Collector,
Kanchipuram District.
2. The Tahsildar,
Sriperumbudur Taluk.

+1 cc to Government pleader sr.20918/16

WP.Nos.4379 to
4386 of 2016

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