

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2016

CORAM

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

W.P.Nos.5396, 5154 & 5155 of 2016

Selvi
W/o Annamalai .. Petitioner in W.P.No.5396 of 2016

P.Ethiraj .. Petitioner in W.P.No.5154 of 2016

Saroja
W/o Arunachalam ... Petitioner in W.P.No.5155 of 2016

-vs-

The Commissioner
Oulgaret Municipality
Puducherry-5 ..Respondent in all the writ petitions

W.P.No.5396 of 2016 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, to call for the records of the respondent relating to the impugned proceedings in Form-A bearing F.No.25-63/Engg(4)/O.M/13-14 dated 23.07.2014 and consequential eviction order in Form-B dated 08.01.2015, quash the same and direct the respondent not to interfere with the petitioner's lands in R.S.No.152/1, Reddiarpalayam Revenue Village.

W.P.No.5154 of 2016 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, to call for the records of the respondent relating to the impugned proceedings bearing F.No.25-63/Engg(4)/O.M/13-14 dated 23.07.2014, quash the same and direct the respondent not to interfere with the petitioner's lands in R.S.No.152/1, Reddiarpalayam Revenue Village.

W.P.No.5155 of 2016 is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, forbearing the respondent from interfering with the peaceful possession and enjoyment of petitioner's premises in R.S.No.152/1, Reddiarpalayam Revenue Village without following the due process of law.

For Petitioners :: Mr.R.Subramanian
For Respondent :: Mr.A.Tamilvanan
 Government Advocate

ORDER

(Order of the Court was delivered by HULUVADI G.RAMESH, J.)

Heard the learned counsel for the petitioners and the learned Government Advocate for the respondent-Municipality.

2. It appears that in connection with the widening of the road, the petitioners are shown to be squatting on the property in Re-survey No.152/1, Reddiarpalayam Revenue Village, which is a road margin. Now they are seeking for an order restraining the respondent authority from taking over the property and also for providing suitable alternative accommodation elsewhere. Since they are squatting on the property for more than 25 years, these writ petitions are disposed of, however, the representation of the petitioners for providing alternative accommodation elsewhere be dealt with by the respondent-Commissioner, Oulgaret Municipality in accordance with law, within a period of three months from the date of receipt of a copy of this order. For the said purpose, the petitioners are also permitted to make one more representation in this regard. Consequently, W.M.P.Nos.4703, 4523 & 4524 of 2016 are closed. No costs.

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

सत्यमेव जयते

ss
To
The Commissioner
Oulgaret Municipality
Puducherry-5
+1 cc to Mr.R.Subramanian Advocate sr.29905
+1 cc to Government pleader puducherry sr.30131,30130
30132

W.P.Nos.5396, 5154 & 5155 of 2016

rsy(co)
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