

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2016

CORAM

THE HON'BLE MR. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE MR. JUSTICE M.VENUGOPAL

W.P. Nos.8894 to 8922 of 2016
and
W.M.P.Nos.7904 to 7932 of 2016

I.ARUMUGAM	...	PETITIONER	in	WP No.8894	of	2016
VEERAPPAN	...	PETITIONER	in	WP No.8895	of	2016
K.SUBRAMANI	...	PETITIONER	in	WP No.8896	of	2016
K.KUMAR	...	PETITIONER	in	WP No.8897	of	2016
P.SUBRAMANI	...	PETITIONER	in	WP No.8898	of	2016
S.PUSHPARAGU	...	PETITIONER	in	WP No.8899	of	2016
M.ARUCHAMY	...	PETITIONER	in	WP No.8900	of	2016
V.RAMASAMY	...	PETITIONER	in	WP No.8901	of	2016
K.MUTHUSAMY	...	PETITIONER	in	WP No.8902	of	2016
A.RUKUMANI	...	PETITIONER	in	WP No.8903	of	2016
K.ANDAVAR	...	PETITIONER	in	WP No.8904	of	2016
R.ARUKANI	...	PETITIONER	in	WP No.8905	of	2016
M.CHETTAN	...	PETITIONER	in	WP No.8906	of	2016
P.DURASAMY	...	PETITIONER	in	WP No.8907	of	2016
M.ELUMALAI	...	PETITIONER	in	WP No.8908	of	2016
K.KANDASAMY	...	PETITIONER	in	WP No.8909	of	2016
A.KATHIRVEL	...	PETITIONER	in	WP No.8910	of	2016
S.MARIAMMAL	...	PETITIONER	in	WP No.8911	of	2016
G.MARIMUTHU	...	PETITIONER	in	WP No.8912	of	2016
G.PALANISAMY	...	PETITIONER	in	WP No.8913	of	2016
G.SAKTHIVEL	...	PETITIONER	in	WP No.8914	of	2016
P.PALANIMUTHU	...	PETITIONER	in	WP No.8915	of	2016
M.POOVAYEE	...	PETITIONER	in	WP No.8916	of	2016
P.BHOOPATHY	...	PETITIONER	in	WP No.8917	of	2016
G.RAMASAMY	...	PETITIONER	in	WP No.8918	of	2016
P.MURUGESAN	...	PETITIONER	in	WP No.8919	of	2016
P.VENKATACHALAM	...	PETITIONER	in	WP No.8920	of	2016
C.ABIMANAN	...	PETITIONER	in	WP No.8921	of	2016
N.THANGAN	...	PETITIONER	in	WP No.8922	of	2016

Vs.

1.The District Collector,
Erode District.

2.The Tahsildar,
Erode.

..Respondents in all WPs.

Prayer in W.P.No.8894 of 2016: Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of mandamus forbearing the respondents herein from taking any action pursuant to the order dated 11.02.2016 passed by the second respondent under Section 6 of the Land Encroachment Act, 1905 in respect of Survey No.117 in WPs.8854, 8897, 8899, 8901, 8904, 8909, 8911, 8912, 8920 and 8921/16, Survey No.106 in WPs.8896, 8908 and 8916, Survey No.116 in WPs 8895, and 8922 Survey No.106 and 71 in WP.8898, Survey No.71 in WPs.8900, 8902, 8903, 8905, 8906, 8907, 8910, 8913, 8914, 8915, 8918 and 8919, Survey No.72 in WP 8917 of Kathirampatti Village, Erode Taluk till the appeal filed by the appellant dated 19.02.2016 before the first respondent herein under Section 9A of the Tamil Nadu Encroachment Act, 1905 is disposed of by the first respondent herein.

For Petitioner.. Mr.AR.L.Sundaresan,
Sr. Counsel
for Ms.AL.Ganthimathi
in all the W.Ps

For Respondents.. Mr.P.S.Sivashanmugha Sundaram,
Spl. Govt. Pleader in all the W.Ps

COMMON ORDER

(Order of the Court was made by SATISH K.AGNIHOTRI, J.)

Mr.P.S.Sivashanmugha Sundaram, learned Special Government Pleader accepts notice on behalf of the respondents. With the consent of the learned counsel appearing for the parties, all the writ petitions are taken up for final disposal at the admission stage.

2.Heard the learned senior counsel appearing for the petitioners and the learned Special Government Pleader appearing for the respondents.

3.These writ petitions are directed against the order dated 11 February 2016, whereby and whereunder the second respondent directed the petitioners to vacate and hand over vacant possession of the property in question.

4.The petitioners have filed statutory appeals before the first respondent on 19 February 2016 invoking Section 10B of the Land Encroachment Act, 1905. The appeals are stated to be pending on the file of the District Collector, Erode.

5.The learned Special Government Pleader, on instructions, would submit that the appeals would be disposed of by the District Collector within a period of two weeks.

6.Accordingly, the District Collector, Erode is directed to take up the appeals preferred by the petitioners and dispose of the same on merits and as per law as expeditiously as possible and in any case, within a period of two weeks from the date of receipt of a copy of this order. Status quo as on today shall be maintained till the disposal of the appeals by the first respondent.

7.The writ petitions are disposed of with the above direction. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO))

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Erode District.

2.The Tahsildar,
Erode.

+29 ccs to M/s. A.L. Ganthimathi, Advocate, S.R.No.16056, 16055
& 16054

+3 ccs to the Government Pleader, S.R.No.16023, 16017, & 16016

CNR(CO)
EU(21/03/2016)

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2016