

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. No.9092 of 2016
and
W.M.P.No.8112 of 2016

M.Sumathi

... Petitioner

Vs.

1. Commissioner,
Land Administration,
Ezhilagam, Chepauk,
Chennai -5.

2. The District Collector,
Thiruvallur District
at Thiruvallur.

3. The Tahsildar,
Madhavaram Taluk,
Thiruvallur District.

... Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of mandamus forbearing the respondents in evicting the petitioner peaceful possession of the property situated in S.No.1, Plot No.12, Kurinchi Nagar, Puththagaram Village, Madhavaram Taluk, Thiruvallur District to an extent of 600 sq.ft. till the disposal of the appeal dated 07.03.2016 pending before the first respondent.

For Petitioner .. Mr.F.Camilus Selva

For Respondents.. Mr.G.Saibaba,
Govt. Advocate

ORDER

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

Mr.G.Saibaba, learned Government Advocate accepts notice on behalf of the respondents. With the consent of the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents, the writ petition is taken up for final disposal at the admission stage.

2. Seeking to forbear the respondents from evicting the petitioner from his property situated at S.No.1, Plot No.12, Kurinchi Nagar, Puththagaram Village, Madhavaram Taluk, Thiruvallur District to an extent of 600 sq.ft. till the disposal of the appeal dated 07.03.2016 pending before the first respondent, the petitioner has come up with this writ petition.

3. When the matter is taken up for hearing, learned counsel appearing for the petitioner submits that it would suffice if a limited direction is issued to the first respondent to consider the petitioner's appeal dated 07 March 2016 and also to grant an order of status quo till the disposal of the said appeal.

4. In view of the above submission made by the learned counsel appearing for the petitioner, without expressing any opinion on the merits of the case, as pleaded by the learned Government Advocate appearing for the respondents, the appellate authority is directed to examine the appeal on its own merits and in accordance with law and take a final decision, within a period of two weeks.

5. With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.
Mmi

s/d-

Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

To

1. The Commissioner,
Land Administration,
Ezhilagam, Chepauk,
Chennai -5.

2. The District Collector,
Thiruvallur District
at Thiruvallur.

3. The Tahsildar,
Madhavaram Taluk,
Thiruvallur District.

+ 1 cc to Mr.S.Xavier Felix, Advocate SR 15728

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