

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2016

CORAM:

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

W.P. Nos.9966 to 9968 of 2016
and
W.M.P. Nos.8936 to 8938 of 2016

R. Gunasekaran ...Petitioner in W.P.9966 of 2016
Kesavan ...Petitioner in W.P.9967 of 2016
G. Pandurangan ...Petitioner in W.P.9968 of 2016

Vs.

1. The Coastal Aquaculture Authority
Shastri Bhavan II Floor
Shastri Bhavan Annexe
26, Haddows Road
Chennai 600 006
 2. The District Collector
Villupuram District
 3. The Forest Range Officer
Tindivanam
Villupuram District
 4. The Tahsildar
Office of the Tahsildar
Marakkanam
Villupuram District
- ... Respondents in all the WPs

Writ Petitions filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records relating to the proceedings in Na.Ka.No.142/2014 dated 20.02.2016 on the file of the third respondent and to quash the same and to direct the respondents 2 to 4 to demarcate the lands belonging to the respondents 3 and 4 within a time frame.

For petitioners in : Mr. AR. L. Sundaresan
all the WPs Senior Counsel
for Mr. P. Raja

COMMON ORDER
(delivery by SATISH K. AGNIHOTRI, J.)

These writ petitions are filed challenging the orders dated 20 February 2016 passed by the third respondent, whereby and whereunder, the petitioners have been directed to vacate the forest land allegedly encroached by them and to hand over the same to the Forest Department.

2. Having afforded a full opportunity of hearing to the petitioners by giving eviction notices dated 16 May 2014, 01 July 2015 and 31 August 2015, to which, replies were filed by the petitioners merely stating that the land is fallow and has been purchased by them, without producing any other document, the authorities have come to a conclusion that the land belonging to the forest division has been encroached by the petitioners. Thus, the impugned orders directing the petitioners to remove the encroachment are passed.

3. We do not find any infirmity or irregularity in the procedure adopted by the authorities before passing the impugned orders. Needless to state that all the encroachments, either in the forest land or revenue land or Government land are required to be removed, after giving full opportunity of hearing to the encroachers. In the cases on hand, as aforesaid, the petitioners were noticed not once but thrice right from May 2014. Thus, we are of the considered view that the principles of natural justice have been fully complied with and as such, the impugned orders do not warrant any interference whatsoever.

Resultantly, the writ petitions fail and accordingly stand dismissed. Costs made easy. Connected W.M.Ps. are closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

cad

To

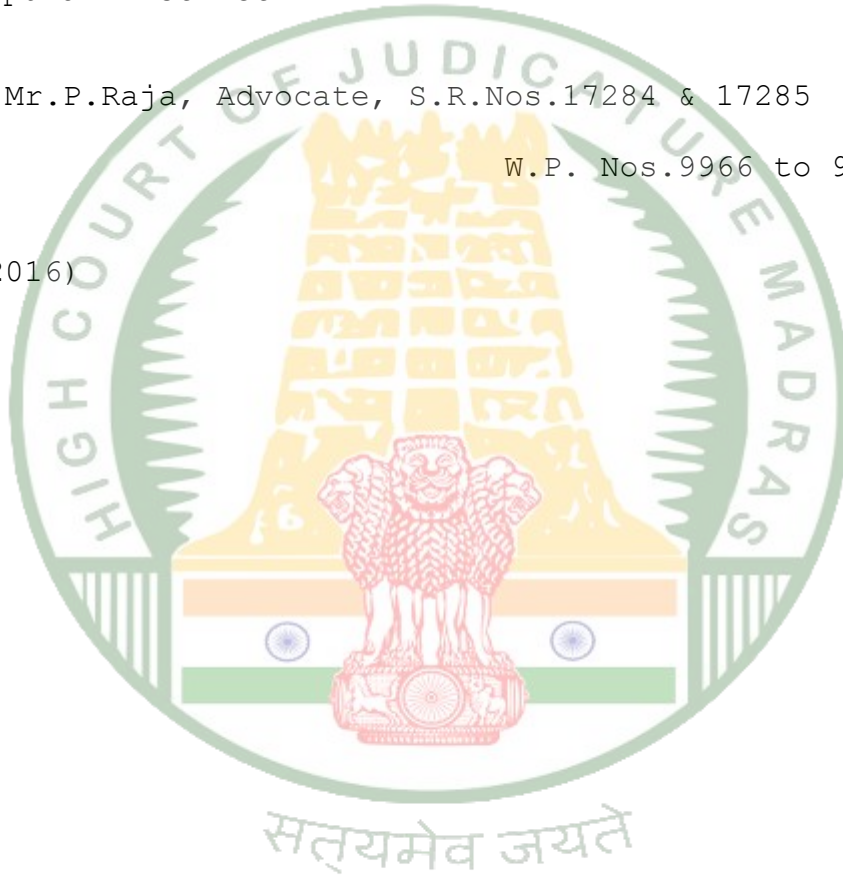
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+2cc's to Mr.P.Raja, Advocate, S.R.Nos.17284 & 17285

W.P. Nos.9966 to 9968 of 2016

UG(CO)
CA(29/03/2016)



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