

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.Nos.5040 to 5042 of 2017

Kalyani

.. Petitioner
in WP:5040/2017

Kailasam

.. Petitioner
in WP:5041/2017

K.Mahavishnu

.. Petitioner
in WP:5042/2017

Vs.

1. The District Collector
Erode, Erode District.
2. The Tahsildar
Tahsildar Office
Anthiyur Taluk
Erode District.
3. The Special Officer/Block Development Officer (Ki.Uo)
Chinnathambipalayam Panchayat
Anthiyur Taluk, Erode District.
4. The Executive Officer
Chinnathambipalayam Panchayat
Anthiyur Taluk, Erode District. .. Respondents

PRAYER in W.P.No.5040 of 2017: Petition under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus calling for the records of the 2nd respondent in Na.Ka.7969/2016/A1, dated 20.02.2017 and consequential order of the 3rd respondent dated 23.2.2017 and quash the same and consequentially forbear the respondents, their officers, subordinates, employees, agents or any other persons claiming or acting under them

from in any manner interfering with the peaceful possession and enjoyment of the petitioner from Natham Land R.S.No. 1887/6A, Anthiyur A Village, Anthiyur Taluk, Erode District.

PRAYER in W.P.No.5041 of 2017: Petition under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus calling for the records of the 2nd respondent in Na.Ka.7969/2016/A1, dated 20.02.2017 and consequential order of the 3rd respondent dated 23.2.2017 and quash the same and consequentially forbear the respondents, their officers, subordinates, employees, agents or any other persons claiming or acting under them from in any manner interfering with the peaceful possession and enjoyment of the petitioner from Natham Land R.S.No. 1887/16, 18, Anthiyur A Village, Anthiyur Taluk, Erode District.

PRAYER in W.P.No.5042 of 2017: Petition under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus calling for the records of the 2nd respondent in Na.Ka.7969/2016/A1, dated 20.02.2017 and consequential order of the 3rd respondent dated 23.2.2017 and quash the same and consequentially forbear the respondents, their officers, subordinates, employees, agents or any other persons claiming or acting under them from in any manner interfering with the peaceful possession and enjoyment of the petitioner from Natham Land R.S.No.1887/20, Anthiyur A Village, Anthiyur Taluk, Erode District.

For Petitioners : Mr.A.Sundaravadhanan

For Respondents : Mr.M.K.Subramanian
Government Pleader
for respondents 1 to 3

Ms.Vasudha Thiagarajan
Addl. Government Pleader
for 4th respondent

COMMON ORDER

(Order of the Court was made by the Acting Chief Justice)

Mr.M.K.Subramanian, learned Government Pleader takes notice for respondents 1 to 3 and Ms.Vasudha Thiagarajan, learned Additional Government Pleader takes notice for the fourth respondent.

2. Heard the learned counsel for the parties.

3. When the matter was taken up today, it was informed that, this Court, by order dated 28.2.2017 made in W.P.Nos.4858 of 2017, in respect of the very same petitioners granted liberty to the petitioners to file an appeal before the appellate authority as envisaged under Section 10 of the Tamil Nadu Land Encroachment Act, 1905. Along with the appeal, the petitioners were also permitted to file an application pressing for an interim order. On such appeal being filed, the appellate authority was directed to pass appropriate orders in accordance with law within a period of one month therefrom. Till such order is passed by the appellate authority, status quo was directed to be maintained.

4. In view of the order dated 28.2.2017 passed in W.P.No.4858 of 2017, no further orders are required to be passed in these writ petitions and, therefore, these petitions are disposed of. No costs. Consequently, W.M.P.Nos.5323 to 5331 of 2017 are closed.

s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To:

1. The District Collector
Erode, Erode District.
2. The Tahsildar
Tahsildar Office
Anthiyur Taluk
Erode District.
3. The Special Officer/Block Development Officer (Ki.Uo)
Chinnathambipalayam Panchayat
Anthiyur Taluk, Erode District.
4. The Executive Officer
Chinnathambipalayam Panchayat
Anthiyur Taluk, Erode District.

+1 CC to Mr. A. Sundaravadhanan, Advocate sr 13299

+1 CC to Govt. Pleader sr 14151

W.P.Nos.5040 to 5042 of 2017

KS (CO)
sp/9/3