

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.7243 of 2017
and W.M.P.No.7884 of 2017

S. Senguttuvan .. Petitioner

-vs-

1. The Commissioner,
Thiruvannamalai Municipality,
Thiruvannamalai,
Thiruvannamalai District.
2. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
3. The Tasildhar,
Thiruvannamalai Taluk & District.
4. The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.
5. The Inspector of Police,
Town Police Station,
Thiruvannamalai.
6. The Assistant Director of Survey
and Land Records,
Collectorate,
Thiruvannamalai.

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus forbearing the respondents from evicting the petitioner in respect of property comprised in Survey No. T.S.No.988 situated at Chinna Kadai Street, Thiruvannamalai and District and to direct the respondents to withdraw the eviction Notice in NaKa No.NIL/2016/F1 dated 10.01.2017 on the file of 1st respondent.

For Petitioner : Mr.G. Rajan

For Respondents : Mr.R.Vijayakumar,
Additional Government Pleader

ORDER

(Order of the Court was made by
THE HON'BLE ACTING CHIEF JUSTICE)

Heard the learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the respondents.

2 The writ petition has been filed seeking issuance of a Writ of Mandamus forbearing the respondents from evicting the petitioner in respect of property comprised in Survey No. T.S.No.988 situated at Chinna Kadai Street, Thiruvannamalai and District and to direct the respondents to withdraw the eviction Notice in NaKa No.NIL/2016/F1 dated 10.01.2017 on the file of 1st respondent.

3. According to the petitioner the property comprised in T.S.No.988, Block No.16, Ward No.1, Tiruvannamalai originally belonged to his ancestors and he acquired a part of it by way of a partition deed dated 30.10.2014 and whileso, he received eviction notice from the first respondents on 10.1.2017 alleging that he had encroached the same which is totally untenable and now apprehending forcible eviction, the petitioner is before this court.

4. The petitioner is said to have submitted a representation on 15.1.2017 to the respondent-authorities.

5. Therefore, it is for the respondents to consider the representation and if necessary, to conduct survey of the property in question to find out as to whether there is any encroachment, after issuing notice to the petitioner and to do the needful in accordance with law. Till then, no coercive steps shall be taken by the respondent-authorities. The writ petition is disposed of accordingly. No costs. The connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Commissioner,
Thiruvannamalai Municipality,
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Thiruvannamalai District.
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Thiruvannamalai.
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Thiruvannamalai District,
Thiruvannamalai.
 5. The Inspector of Police,
Town Police Station,
Thiruvannamalai.
 6. The Assistant Director of Survey and Land Records,
Collectorate,
Thiruvannamalai.
- +1 CC to Mr. G. Rajan, Advocate sr 18559
+1 CC to The Govt. Pleader sr 18829



W.P.No.7243 of 2017

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