

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2017

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.SUNDAR

W.P.Nos.15266 to 15275 of 2015
and M.P.Nos.1 and 2 of 2015

N.Chakarapani	...	Petitioner in WP.15266/2015
J.Mythili	...	Petitioner in WP.15267/2015
N.Parthasarathy	...	Petitioner in WP.15268/2015
V.Muniammal	...	Petitioner in WP.15269/2015
P.Chinnappa	...	Petitioner in WP.15270/2015
L.Sudha	...	Petitioner in WP.15271/2015
P.Kasthuri	...	Petitioner in WP.15272/2015
T.Srinivasan	...	Petitioner in WP.15273/2015
S.Sigamani	...	Petitioner in WP.15274/2015
V.Shanthi	...	Petitioner in WP.15275/2015

-Vs-

The Revenue Inspector
Kattankolathur,
Chengalpattu Taluk,
Kancheepuram District. ... Respondent in all WPs.

Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari to call for the concerned records relating to Section 5 notice number nil under Tamil Nadu Act III of 1905 dated 22.04.2015 passed by the respondent and quash the same.

For Petitioners : Mr.S.Meiyappan

For Respondent : Mrs.Vasudha Thiagarajan
Additional Government Pleader

COMMON ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

In all these matters, interim protection was granted subject to batta being filed within five working days failing which interim orders were to be automatically vacated on the sixth day. Since batta is stated not to be filed, there are no

interim orders. Learned counsel for the petitioners states that at present, he received no instructions.

2.We may also note that the issue sought to be raised is arising from the notice issued under Section 5 of the Tamil Nadu Land Encroachment Act, 1905, on the plea of the petitioners that as per revenue records, S.No.46 is a lake, but the said land is not in use for lake. This issue does not survive any more in view of the Full Bench judgment of this Court in T.K.Shanmugam v. The State of Tamil Nadu, rep. by its Secretary and others, reported in 2015-5-L.W. 397, as the revenue entry in respect of water area cannot be changed.

The aforesaid being the position, the writ petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sra

To

The Revenue Inspector
Kattankolathur,
Chengalpattu Taluk,
Kancheepuram District.

+1cc to Mr.M.Gnanasekar, Advocate, S.R.No.4798
+1cc to the Government Pleader, S.R.No.3404

W.P.Nos.15266 to 15275 of 2015

SK(CO)
CA(03/02/2017)

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