

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2017

CORAM :

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

W.P.No.2815 of 2017
and
W.M.P.Nos.2748 and 2749 of 2017

K.Elumalai

... Petitioner

-Vs-

1. Tamil Nadu State Bhoodan Yagna Board,
Rep. By its Chairman,
Chepauk, Chennai 600 005.
2. The Director of Land Reforms and
Tamil Nadu Bhoodan Board,
O/o.Director of Land Reforms,
Ezhilagam, Chennai 600 005.
3. The Special Officer cum Director
of Rural Development,
Tamil Nadu Bhoodan Board,
Panagal Maligai Building,
Saidapet, Chennai 600 015.
4. The District Collector,
O/o. The District Collector,
Salem District, Salem 636 001.
5. The District Revenue Officer,
O/o. The District Revenue Officer,
Salem District, Salem 636 001.
6. The Tahsildar,
O/o.The Tahsildar, Salem Taluk,
Salem District.
7. The Revenue Inspector,
Valasaiyur Firga, Salem Taluk,
Salem District.
8. Perumal

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Declaration to declare the action of the Respondents 6 and 7 in evicting the petitioner under section 6 and 7 of the Land Encroachment Act as illegal without jurisdiction and violation of Article 14 of the Constitution of India and consequently directing the Respondents 1 and 3 to handover back possession of the land comprised of S.No.62/1A measuring about 0.35.5 Ares of Agricultural land situated at Vedapatti Salem District and allot the same in favour the petitioner as per the Tamilnadu Bhoodan Yagna Act and Rules.

For Petitioner : Mr.A.Nagarathinam

For Respondents : Mr.T.N.Rajagopalan
Special Government Pleader
For RR 1 to 7

O R D E R

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

The petitioner, an encroacher, has been evicted. The petitioner filed a suit in which ultimately the interim application was dismissed. The encroachment has been removed after show cause notice. The request of the petitioner for patta has been declined.

2.In view of the aforesaid facts, we see no reason to entertain the petition under Article 226 of the Constitution of India seeking restoration of possession.

Writ petition is dismissed. No costs. Consequently, W.M.P.Nos. 2748 and 2749 of 2017 also stand dismissed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sra

To

1. The Chairman,
Tamil Nadu State Bhoodan Yagna Board,
Chepauk, Chennai 600 005.

2. The Director of Land Reforms and
Tamil Nadu Bhoodan Board,
O/o. Director of Land Reforms,
Ezhilagam, Chennai 600 005.

3. The Special Officer cum Director
of Rural Development,
Tamil Nadu Bhoodan Board,
Panagal Maligai Building,
Saidapet, Chennai 600 015.

4. The District Collector,
O/o. The District Collector,
Salem District, Salem 636 001.

5. The District Revenue Officer,
O/o. The District Revenue Officer,
Salem District, Salem 636 001.

6. The Tahsildar,
O/o. The Tahsildar, Salem Taluk,
Salem District.

7. The Revenue Inspector,
Valasaiyur Firga, Salem Taluk,
Salem District.

+1cc to Mr.A.Nagarathinam, Advocate, S.R.No.7843
+1cc to the Government Pleader, S.R.No.7500

W.P.No.2815 of 2017

SSI(CO)
CA(16/02/2017)

सत्यमेव जयते

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