

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.36057 of 2003

The Union of India owning Southern Railway,
Rep by its General Manager,
Park Town,
Chennai 600 003.

.. Petitioner

Vs.

1) The Principal District Judge,
Vellore District, Vellore.

2) Smt.Selvi,

3) Estate Officer,
Divisional Railway Manager's Office,
Works Branch,
Southern Railway, Trichy.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the entire records of the first respondent under the (PPE) Civil miscellaneous Appeal No.13 of 1999 including the order and decree dated 31.08.2001 and quash the same and direct the 2nd respondent to vacate and hand over possession of the property encroached by the 2nd respondent to the Railway Administration.

For Petitioner : Mr.P.T.Ramkumar

For Respondents : No appearance

ORDER

The petitioner has come forward with this Writ Petition challenging the order and decree made in Civil Miscellaneous Appeal No.13 of 1999 dated 31.08.2001 and for a direction to the second respondent to vacate and hand over possession of the property encroached by the 2nd respondent to the Railway Administration.

2. Learned counsel for the petitioner submitted that the issue in question is covered by the order dated 06.06.2007 passed by this Court in W.P.No.36508 of 2003, etc. batch of Writ Petitions.

3. In view of the same, this writ petition is also allowed and it is open to the petitioner to take over possession of the encroached area. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To:

- 1) The Principal District Judge,
Vellore District, Vellore.
- 2) Estate Officer,
Divisional Railway Manager's Office,
Works Branch,
Southern Railway, Trichy.

+lcc to Mr.P.T.Ram Kumar, Advocate, S.R.No.51739

W.P.No.36057 of 2003

KD(CO)
GN(18/09/2017)

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