



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **06.07.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **K.K.SASIDHARAN**

AND

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. [MD] .Nos.14943 and 14944 of 2013

and

M.P. (MD) Nos.1 and 1 of 2013

S.Jesse : Petitioner in W.P.[MD].No.14943 of 2013
C.Brigit : Petitioner in W.P.[MD].No.14944 of 2013

Vs.

1. The District Collector,
Kanyakumari District,
Collectorate Nagercoil.
2. The Tasildhar,
Villavankode Taluk,
Kullithunai, Kanyakumari District.
3. The Deputy Tashildar,
Villavankode Taluk,
Kullithunai,
Kanyakumari District.
4. The Village Administrative Officer,
Villavankode Taluk,
Kullithurani,
Kanyakumari District. : Respondents in both W.Ps.

COMMON PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to restore the land and articles in house occupied by the petitioners in K.R.Puram, Chinnathurai, Eleudesam Village, Thoothur Post, Kanyakumari District in Survey No.295/4C1 in an extent of 2000 sq ft and consequently direct the respondent No.1 to provide the compensation of Rs.10,00,000/- (Rupees Ten Lakhs only) each for the forcible eviction of the petitioners without following the legal requirements as prescribed under Sections 6 and 7 of the Tamil Nadu Land Encroachment Act of 1905 within the time stipulated by his Court.

For Petitioners : Mr.S.Rajsekar,
For Mr.T.Lajapathi Roy

For Respondents : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader, both cases.

**O R D E R***********

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

These Writ Petitions are filed to direct the respondents to restore possession of the properties stated to have been taken possession from the petitioners.

2. There is no question of issuing a Mandamus for restoration of possession. It is always open to the parties to approach the Civil Court for appropriate relief.

3. The Writ Petitions are disposed of with the above observation. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-II)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Kanyakumari District,
Collectorate Nagercoil.
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Villavankode Taluk,
Kullithunai,
Kanyakumari District.
4. The Village Administrative Officer,
Villavankode Taluk,
Kullithurani,
Kanyakumari District.

+1 CC to M/s.T.LAJAPTHIROY, Advocate, SR No. 64209.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 64022

SML/MYR

PSM/KP/SAR1/18.07.2017/2P/7C

**Common Order made in
W.P. [MD].Nos.14943 and 14944 of 2013
Dated: 06.07.2017**