

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.VENUGOPAL
AND
THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.Nos.4613 to 4618 of 2018
and
W.M.P.Nos.5682 to 5693 of 2018

Mrs.Thilagavathi .. Petitioner in W.P.No.4613 of 2018
Mrs.Muniammal .. Petitioner in W.P.No.4614 of 2018
Mrs.Anandhi .. Petitioner in W.P.No.4615 of 2018
Mr.Peter Jebaraj .. Petitioner in W.P.No.4616 of 2018
Mrs.Meena Rose .. Petitioner in W.P.No.4617 of 2018
Mrs.Kaliammal .. Petitioner in W.P.No.4618 of 2018

Vs.

1. The District Collector,
Tiruvallur District,
Collectorate, Tiruvallur.
2. The Commissioner,
Tiruvallur Municipality,
Tiruvallur.
3. The Tahsildar,
Madhavaram Taluk,
Madhavaram,
Thiruvallur District.
4. The Managing Director,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chepauk, Chennai-600 005.
5. The Assistant Engineer,
Tamil Nadu Electricity Board,
Madhavaram,
Tiruvallur District.

.. Respondents in all the Writ Petitions

Writ Petition No.4613 of 2018 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents 1 to 4 to not to interfere with the peaceful possession and enjoyment of the petitioner's house at D.No.3/86, Balasubramaniam Nagar, Chinna Mathur, Madhavaram Taluk, Tiruvallur District, without following due process of law.

Writ Petition No.4614 of 2018 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents 1 to 4 to not to interfere with the peaceful possession and enjoyment of the petitioner's house at D.No.3/91, Balasubramaniam Nagar, Chinna Mathur, Madhavaram Taluk, Tiruvallur District, without following due process of law.

Writ Petition No.4615 of 2018 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents 1 to 4 to not to interfere with the peaceful possession and enjoyment of the petitioner's house at D.No.3/184, Balasubramaniam Nagar, Chinna Mathur, Madhavaram Taluk, Tiruvallur District, without following due process of law.

Writ Petition No.4616 of 2018 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents 1 to 4 to not to interfere with the peaceful possession and enjoyment of the petitioner's house at D.No.3/155, Balasubramaniam Nagar, Chinna Mathur, Madhavaram Taluk, Tiruvallur District, without following due process of law.

Writ Petition No.4617 of 2018 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents 1 to 4 to not to interfere with the peaceful possession and enjoyment of the petitioner's house at D.No.3/73, Balasubramaniam Nagar, Chinna Mathur, Madhavaram Taluk, Tiruvallur District, without following due process of law.

Writ Petition No.4618 of 2018 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents 1 to 4 to not to interfere with the peaceful possession and enjoyment of the petitioner's house at D.No.3/172, Balasubramaniam Nagar, Chinna Mathur, Madhavaram Taluk, Tiruvallur District, without following due process of law.

For petitioners : Ms.Geetha for Mr.J.Srinivasan
For respondents : Mr.A.N.Thambidurai,
Spl.G.P. for RR-1 and 3

COMMON ORDER

(The Order of the Court was made by S.Vaidyanathan, J)

The petitioners have come forward with these Writ Petitions praying for issuance of Writs of Mandamus to direct the respondents 1 to 4 to not to interfere with the peaceful possession and enjoyment of the respective houses of the petitioners, without following due process of law.

2. When the Writ Petitions are taken up for hearing, learned Special Government Pleader appearing for the respondents 1 and 3 and also the learned counsel for the petitioners submitted that before the Writ Petitions are coming up for hearing, the petitioners have been evicted from the respective houses. Learned counsel for the petitioners contended that it is not known as to how the respondents have got powers to remove the encroachment of the petitioners, when they have no locus-standi to remove them and that the petitioners have not encroached the properties in question and that no notice has been given before eviction. According to the learned Special Government Pleader, the petitioners have been evicted twice from the same place and this is the third time that they have been evicted from the respective places in question and the lands in question belong to the Government.

3. Hence, nothing further survives for consideration in these Writ Petitions, which are accordingly disposed of. No costs. Consequently, W.M.Ps. are closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Tiruvallur District,
Collectorate, Tiruvallur.

2. The Commissioner,
Tiruvallur Municipality,
Tiruvallur.

3. The Tahsildar,
Madhavaram Taluk,
Madhavaram,
Thiruvallur District.

4. The Managing Director,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chepauk, Chennai-600 005.

5. The Assistant Engineer,
Tamil Nadu Electricity Board,
Madhavaram,
Tiruvallur District.

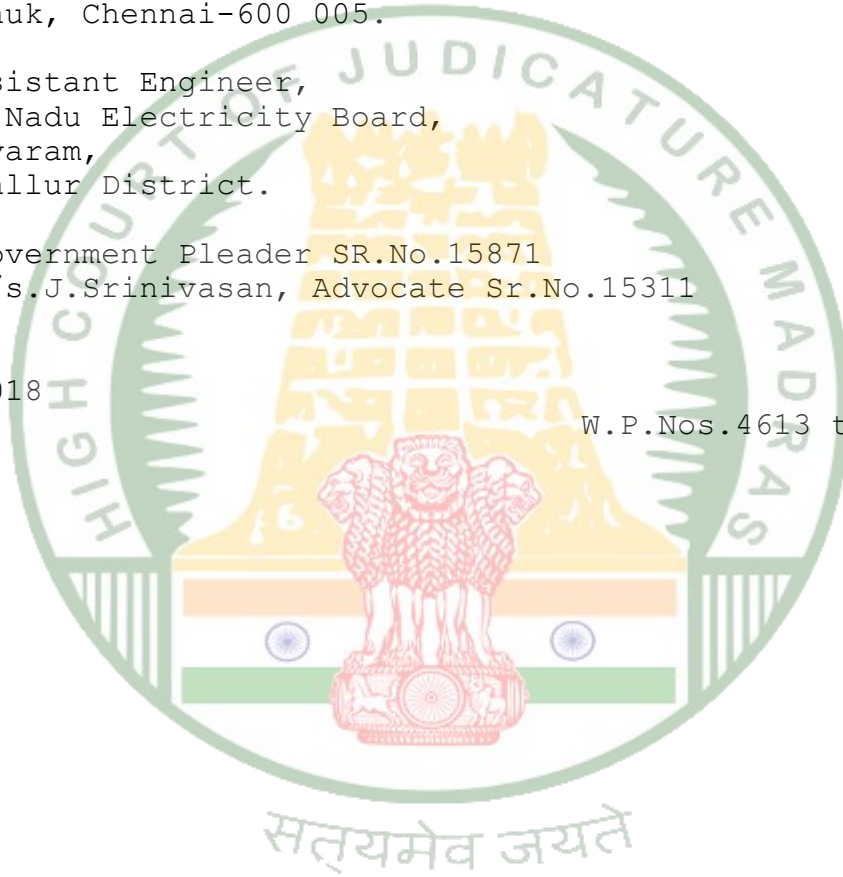
+1cc to Government Pleader SR.No.15871

+1cc to M/s.J.Srinivasan, Advocate Sr.No.15311

KAN(CO)

sm:12.3.2018

W.P.Nos.4613 to 4618 2018



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