

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.12.2018

CORAM

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P. No.5129 of 2011

1.M.Krishnan
2.C.Murugesan

.. Petitioners

versus

1.The District Collector,
Vellore District.

2.The District Revenue Officer,
Vellore District.

3.The Revenue Divisional Officer,
Vellore District.

4.The Tahsildar,
Vellore Taluk,
Vellore District.

5.R.Munisamy

.. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents from inviting any action for evicting the petitioners from the lands and the residential house comprised in Survey No.272, Eraivankadu Village without complying the order dated 05.07.2010 made in W.P.No.18100 of 2009.

For Petitioners : Mr.T.P.Prabakaran

For Respondent Nos.1 to 4 : Mr.R.Neelakandan
Government Advocate

For Respondent No.5 : No Appearance

O R D E R

The Writ Petition has been filed to issue a Writ of Mandamus, forbearing the respondents from inviting any action for evicting the petitioners from the lands and the residential house comprised in Survey No.272, Eraivankadu Village without complying the order dated 05.07.2010 made in W.P.No.18100 of 2009.

2. According to the petitioners, the order passed by this Court in W.P.No.18100 of 2009 dated 05.07.2010 has not been complied with.

3. The learned Government Advocate appearing for the respondents 1 to 4 would submit that, due to bifurcation of the Taluk from Vellore to Anaikat, he could not trace out the said records and therefore, he is not in a position to pass any orders in complying with the order passed by this Court.

4. It is seen that the petitioners are not impleaded the Tahsildar, Anaikat, as a party in the present Writ Petition. Therefore, the concerned jurisdictional Tahsildar or the fourth respondent is directed to comply with the order passed by this Court in W.P.No.18100 of 2009 dated 05.07.2010, without any further delay, as expeditiously as possible, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that if an order has been passed already, the same shall be communicated to the petitioners and no final order is passed by the fourth respondent. It is needless to say that the petitioners have also furnish a copy of the said representation along with the order copy to the Tahsildar, Anaikat.

5. The Writ Petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

sri

To

- 1.The District Collector,
Vellore District.
- 2.The District Revenue Officer,
Vellore District.
- 3.The Revenue Divisional Officer,
Vellore District.
- 4.The Tahsildar,
Vellore Taluk,
Vellore District.

5.The Tahsildar,
Anaikat.

+1cc to Mr.T.P.Prabakaran, Advocate SR.No.86899

+1cc to Government Pleader SR.No.87419

W.P. No.5129 of 2011

SR(CO)
GMY(29/01/2019)