

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2018

CORAM :

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.NOS.21655 TO 21673 OF 2018 AND 15588 OF 2013
AND CONNECTED MISCELLANEOUS PETITIONS

- 1.S.HARIDOSS ... SOLE PETITIONER IN WP.NO.21655 OF 2018
and 18th Petitioner in WP.No.15588 of 2013
- 2.M.KUMUTHA ...Sole PETITIONER in WP No.21656 of 2018
and 4th Petitioner in WP.15588 of 2013
- 3.S.SUSEELA AMMAL ...Sole PETITIONER in WP No.21657 of 2018
and 14th Petitioner in WP.15588 of 2013
- 4.S.RANJITHAM ...Sole PETITIONER in WP No.21658 of 2018
and 10th Petitioner in WP.15588 of 2013
- 5.G.ELLAMMAL ...Sole PETITIONER in WP No.21659 of 2018
and 7th Petitioner in WP.15588 of 2013
- 6.A.KAMALA ...Sole PETITIONER in WP No.21660 of 2018
and 8th Petitioner in WP.15588 of 2013
- 7.N.DILLI ...Sole PETITIONER in WP No.21661 of 2018
and 9th Petitioner in WP.15588 of 2013
- 8.K.NAGAMMAL ...Sole PETITIONER in WP No.21662 of 2018
and 12th Petitioner in WP.15588 of 2013
- 9.D.LOGANAYAKI ...Sole PETITIONER in WP No.21663 of 2018
and 11th Petitioner in WP.15588 of 2013
- 10.A.NAGAPPAN ...Sole PETITIONER in WP No.21664 of 2018
and 13th Petitioner in WP.15588 of 2013
- 11.K.ALANKARAM ...Sole PETITIONER in WP No.21665 of 2018
and 1st Petitioner in WP.15588 of 2013
- 12.P.PARVATHY ...Sole PETITIONER in WP No.21666 of 2018
and 3rd Petitioner in WP.15588 of 2013

13.S.PRABHU ...Sole PETITIONER in WP No.21667 of 2018
14.L.RAJ ...Sole PETITIONER in WP No.21668 of 2018
and 19th Petitioner in WP.15588 of 2013

15.G.MATHIAZHAGAN ...Sole PETITIONER in WP No.21669 of 2018
and 16th Petitioner in WP.15588 of 2013

16.P.MUTHU ...Sole PETITIONER in WP No.21670 of 2018
and 5th Petitioner in WP.15588 of 2013

17.S.ASHOKAN ...Sole PETITIONER in WP No.21671 of 2018
and 15th Petitioner in WP.15588 of 2013

18.R.VELU ...Sole PETITIONER in WP No.21672 of 2018

19.N.PERUMAL ...Sole PETITIONER in WP No.21673 of 2018
and 2nd Petitioner in WP.15588 of 2013

20.G.RAMALINGAM ...17th Petitioner in WP.15588 of 2013
21.P.SOMASUNDARAM ...6th Petitioner in WP.15588 of 2013

-vs-

1. Revenue Inspector
Sholinganallur
Sholinganallur Taluk,
Kancheepuram District, 600 119.
2. Village Administrative Officer,
No.14, Injambakkam Village,
Sholinganallur Taluk,
Kancheepuram District 600 119.
3. The Special Tahsildar (Assignment)
Saidapet, Chennai 600 015.

.. Respondents 1 to 3 in
WP.No.21655 to 21673 of 2018

4. The Tahsildar,
Sholinganallur Taluk, Taluk Office,
Sholinganallur, Kancheepuram District,
600 119.
.. 4th Respondent in WP.No.21655 to 21673 of 2018
and 1st Respondent in WP.No.15588 of 2013
5. The District Collector
Kancheepuram District,
Kancheepuram 631 501.
.. 5th Respondent in WP.No.21655 to 21673 of 2018
and 3rd Respondent in WP.No.15588 of 2013

6. Revenue Divisional District,
Tambaram, Kancheepuram District.

.. 2nd Respondent in WP.No.15588 of 2013

7. The Government of Tamil Nadu,
Rep.by its Secretary,
Revenue Department,
Fort St.George,
Chennai-9

.. 4th Respondent in WP.No.15588 of 2013

Prayer in WP.No.21655 to 21673 of 2018:-

Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari to call for the records in the impugned notice dated 06.08.2018 issued under section 7 of the Land Encroachment Act, 1905, on the file of respondents 1 and 2 in respect of petitioner's property bearing Plot No.18, 4, 14, 10, 7, 8, 9, 12, 11, 13, 1, 3, 6, 19, 16, 5, 14, 17 and 2 respectively Gangai Amman Koil Street, Injambakkam, Chennai 600 115 comprised in Survey No.61, Injambakkam Village measuring an extent of 1400 sq. feet namely about 0.01.0 ares out of 24.5 ares of land and quash the same.

WP.No.15588 of 2013:-

Directing the respondents to carry out appropriate entries in the revenue records of the village accounts as to the enjoyment of various extents of house site by the petitioners in Survey No.61 Injambakkam Village Sholinganallur Taluk Kancheepuram District pursuant to the assignment patta issued by the Special Tahsildar (Assignment) Saidapet and issue computer patta (revenue patta) to the individual petitioners for the lands under their occupation possession and enjoyment pursuant to the assignment patta issued to the petitioners.

For Petitioner
in all WPs.

: Mr.S.Sadasharam

For Respondents
in all WPs.

: Mr.S.Kamalesh Kannan
Govt. Advocate

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COMMON ORDER

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

The petitioners have approached this Court being aggrieved by the notice issued under Section 7 of the Land Encroachment Act, 1905.

2.The learned counsel for the petitioners has admitted that the petitioners have not replied to the said notice and states that the petitioners would reply to the said notice within three (3) weeks.

3.In view of the said submission, in our opinion, it would be appropriate that the petitioners reply to the said notice under Section 7 of the Land Encroachment Act, 1905, within a period of three weeks.

4.Upon receipt of such reply to the notice, the concerned authority to take a decision thereon, after hearing the petitioners. Thus, at this stage, we are of the opinion that no interference is called for.

The writ petitions are accordingly dismissed. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sra

To

1. The Revenue Inspector
Sholinganallur Sholinganallur Taluk,
Kancheepuram District, 600 119.
2. The Village Administrative Officer,
No.14, Injambakkam Village, Sholinganallur
Taluk, Kancheepuram District 600 119.
3. The Special Tahsildar (Assignment)
Saidapet, Chennai 600 015.
4. The Tahsildar,
Sholinganallur Taluk, Taluk Office,
Sholinganallur, Kancheepuram District 600 119.
5. The District Collector
Kancheepuram District,
Kancheepuram 631 501.
6. Revenue Divisional District,
Tambaram, Kancheepuram District.

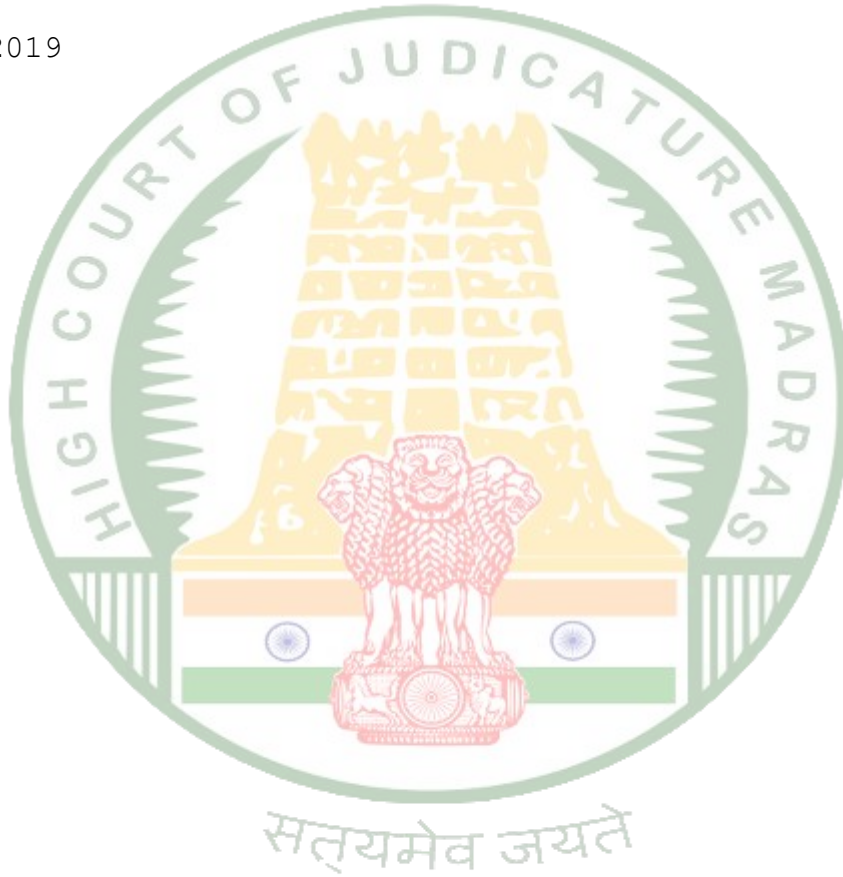
7. The Government of Tamil Nadu,
Rep.by its Secretary,
Revenue Department,
Fort St.George, Chennai-9

+4cc to Mr.S.Sadasharam, Advocate, S.R.No.80857, 80858

+1cc to the Government Pleader, S.R.No.81335

W.P.Nos.21655 to 21673 of 2018
and 15588 of 2013

KAN(CO)
CS/07/01/2019



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