

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.05.2018

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

WP.Nos.12498 to 12500/2018 and WMP.Nos.14638 to 14640/2018

K.Punitha .. Petitioner in WP.No.12498/2018

K.Anuradha .. Petitioner in WP.No.12499/2018

K.Manikandan .. Petitioner in WP.No.12500/2018

vs.

1.The Tahsildar
Solinganallur Taluk Office
Kumaran Nagar
Rajiv Gandhi Salai,
Solinganallur, Chennai 600 119.

2.The Executive Engineer
Public Works Department [Investigation]
No.88, Old No.113,
Pushpagiri Main Road,
Padappai 600 301, Chennai.

3.The Village Administrative Officer
Kovilambakkam, Chennai 600 117. .. Respondents in all WPs.

Common Prayer:- Petitions filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus directing the 1st and 2nd respondents, their officials and subordinates forbear the respondents from dispossessing, evicting and demolishing the petitioners' houses in pursuant to the Eviction Notice dated 27.04.2018 in respect of the property registered in Doc.Nos.5270/2006 dated 26.09.2006 before the SRO of Pallavaram in the premises bearing No.3/150-A, Baliga Salai, Kovilambakkam, Chennai-117 in S.No.123 and part 144/26 in Patta No.123/26 [Blocks No.260, 259 and 258], with a total extent of 2064 sq.ft.

For Petitioners in all
Writ petitions : Mr.R.Sreedharan

For R1 to R3 in all
Writ Petitions : Mr.P.S.Siva Shanmuga Sundaram
Special Government Pleader

COMMON ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

Since the issue involved and to be adjudicated in these writ petitions is one and the same, the writ petitions are taken up together for hearing and are disposed of by the following order.

2 In these writ petitions, the petitioners seek a writ of mandamus, forbearing the respondents from dispossessing / evicting the petitioners from their respective houses pursuant to the Eviction Notice dated 27.04.2018.

3 The claim of the petitioners is that they are in possession of the land in question by way of Assignments that has been granted to them. The copies of the Assignment Orders have also been produced along with the typed set. From the Assignment Orders, it is seen that different portions of land in S.Nos.123/260, 259 and 258 have been assigned in favour of the petitioners, who are wife and children of one Krishnamurthy. The "A" Register of the Village has been produced and it shows that the land in S.Nos.123/258, 259 and 260 stand in the name of the petitioners in these writ petitions.

4 Upon instructions, Mr.P.S.Siva Shanmuga Sundaram, learned Special Government Pleader who accepts notice on behalf of the respondents, would submit that the Eviction Notices are confined to S.No.123/26 and not with reference to survey numbers which are claimed to have been assigned to the petitioners herein.

5 Mrs.V.Backialakshmi, Tahsildar, Sholinganallur, the 1st respondent herein, is present before this Court today.

6 The statement of the learned Special Government Pleader that the possession of the petitioners of the land in S.Nos.123/260, 259 and 258, will not be disturbed, is recorded. It is not the case of the petitioners that they are in possession of any portion of the land in S.No.123/26.

7 Hence, the writ petitions are disposed of recording the above statement of the learned Special Government Pleader. However, it is made clear that if there is any violation of Assignments, it will be open to the Government to take appropriate proceedings to cancel the Assignments. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Vacation Officer/
Deputy Registrar(AD-I)

//True Copy//

Sub Assistant Registrar

AP
To

- 1.The Tahsildar
Solinganallur Taluk Office
Kumaran Nagar
Rajiv Gandhi Salai,
Solinganallur, Chennai 600 119.
- 2.The Executive Engineer
Public Works Department [Investigation]
No.88, Old No.113,
Pushpagiri Main Road,
Padappai 600 301, Chennai.
- 3.The Village Administrative Officer
Kovilambakkam, Chennai 600 117.

+3cc to Mr.R.SREEDHARAN, Advocate, S.R.No. 33744 TO 33746
+1cc to the Government Pleader, S.R.No. 33905

सत्यमेव जयते

WP.Nos.12498 to 12500/2018

BR(CO)
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