

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.P.Nos.27318, 27320, 27323, 27338, 27341 of 2018

and

WMP.Nos.31801, 31802, 31811, 31834, 31841 of 2018

Meenakshi ... Petitioner in W.P.No.27318 of 2018

Ayyadurai ... Petitioner in W.P.No.27320 of 2018

Shanthi ... Petitioner in W.P.No.27323 of 2018

Sundari ... Petitioner in W.P.No.27338 of 2018

Sivasankaran ... Petitioner in W.P.No.27341 of 2018

Vs.

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Kancheepuram District.

3.The Director,
Land Survey and Settlement,
3rd Floor, Ezhizhagam,
Chennai - 600 005.

4.The Thasildhar,
Thiruporur Taluk,
Kancheepuram District.

5.The Revenue Inspector,
Mampakkam, Thiruporur Taluk,
Kancheepuram District. ... Respondents
in all Writ Petitions

Prayer : Writ Petitions in W.P.Nos.27318, 27320, 27323, 27338 and 27341 of 2018 filed under

Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned notice under Section 7 of Tamil Nadu Land Encroachment Act 1905 issued by the 5th respondent dated 13.08.2018 and quash the same and consequently direct the respondents to grant House site Patta to the petitioner in respect of lands in petitioner's occupation and possession in Survey No.306/4 bearing Door Nos.3/605, 3/589, 637/467, 3/602 and 3/594, respectively, at Gangaianman Koil Street, Pudupakkam Village, Sathankuppam, Kelambakkam, Kancheepuram District.

For Petitioner : Mr.G.Anbuechezheian
in all Writ Petitions

For Respondents : Mr.J.Pothiraj
Special Government Pleader
in all Writ Petitions

C O M M O N O R D E R

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

The challenge in these writ petitions is to the notice issued under Section 7 of the Tamil Nadu Land Encroachment Act 1905.

2. It is the case of the petitioners that on receipt of the notice issued by the 5th respondent, objection was submitted before the 4th respondent. It is the further grievance of the petitioners that without passing final orders under Section 6 of the Tamil Nadu Land Encroachment Act 1905, 4th respondent has evicted them from the premises.

3. We have heard Mr.Anbuechezheian, learned counsel for the petitioners and Mr.J.Pothiraj, learned Special Government Pleader. By consent the writ petitions are taken up for final disposal at the admission stage.

4. The notices impugned in these writ petitions are only the show cause notices. The petitioners have already given a reply. It is for the 4th respondent to consider the reply and pass appropriate orders on merits as per law.

5. We direct the 4th respondent to consider the objections submitted by the petitioners objectively and pass appropriate orders as per law. The status quo shall be maintained till a decision is taken by the Tahsildar taking into account the objections submitted by the petitioners.

6. The writ petitions are disposed of with the above direction. No costs.

(K.K.SASIDHARAN, J.) (R.SUBRAMANIAN, J.)

12.10.2018

dsa/jv

Index : Yes / No

Internet : Yes / No

K.K.SASIDHARAN,J.
and
R.SUBRAMANIAN,J.

dsa/jv

To

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