

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.P.Nos.29134, 29138, 29139,
29142, 29145 of 2018 and
Connected Miscellaneous Petitions

Sankar ...Petitioner in W.P.No.29134/2018
Radha ...Petitioner in W.P.No.29138/2018
Krishnaveni ...Petitioner in W.P.No.29139/2018
Suresh ...Petitioner in W.P.No.29142/2018
Henry Lawarance ...Petitioner in W.P.No.29145/2018

vs

- 1.The District Collector,
Kancheepuram District,
Kancheepuram.
 - 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Kancheepuram District.
 - 3.The Director,
Land Survey and Settlement
3rd Floor, Ezhizhagam,
Chennai - 600 005.
 - 4.The Tahsildar,
Thiruporur Taluk, Kancheepuram District.
 - 5.The Revenue Inspector,
Mampakkam, Thiruporur Taluk,
Kancheepuram District.
- Respondents in all WPs

Writ Petitions filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned notice under Section 7 of Tamilnadu 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 petitioners in respect of lands in petitioners'

occupation and possession in Survey No.306/4 bearing Door Nos.3/439, 3/593, 3/646, 3/439 and 3/603 respectively Gangaianman Koil Street, Pudupakkam Village, Sathankuppam, Kelambakkam, Kancheepuram District.

For Petitioners : Mr.G.Anbuchezeheian (in all WPs)

For Respondents : Mr.R.Udhyakumar
Addl.Govt.Pleader
(in all WPs)

C O M M O N O R D E R
[Order of the Court was delivered by
K.K.SASIDHARAN,J.]

The notice issued to the petitioners under Section 7 of the Tamil Nadu Land Encroachment Act 1905, calling upon them to vacate the encroached premises is under challenge in these writ petitions.

2. The notice is only a show cause notice. The petitioners have already submitted objections to the 5th respondent. The 4th respondent being the statutory authority must consider the said objection.

3. We direct the 4th respondent to consider and dispose of the proceedings initiated under the Land Encroachment Act. The Tahsildar must consider the objections submitted by the petitioners objectively and pass appropriate order on merits and as per law. Status Quo as on today shall be maintained till orders are passed by the 4th respondent.

4. The writ petitions are disposed of with the above direction. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

svki

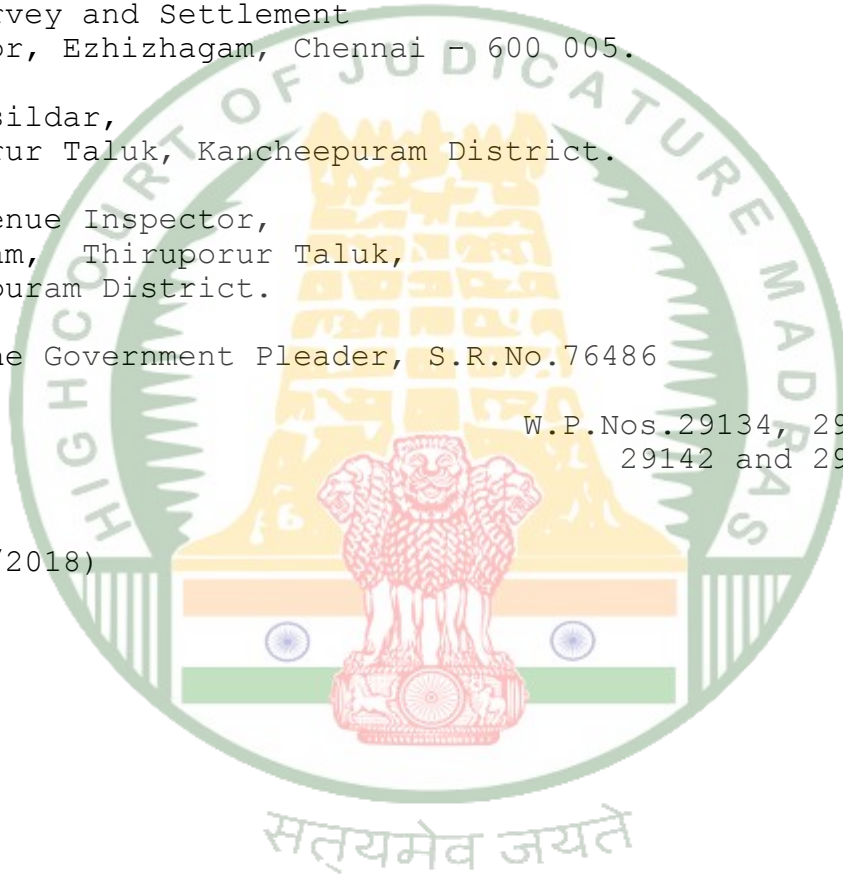
To

- 1.The District Collector,
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- 5.The Revenue Inspector,
Mampakkam, Thiruporur Taluk,
Kancheepuram District.

+1cc to the Government Pleader, S.R.No.76486

W.P.Nos.29134, 29138, 29139,
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GSP(29/11/2018)



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