

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2018

CORAM :

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.30926 of 2018 and

W.M.P.No. 36075 of 2018

Thirupattur Panjali Maidanam
Kai Kari Kani Pushpam Matrum Chillarai
Vyabarigal Sangam (Reg. No.192/2015)
Rep by its Secretary C.Chinnappaiyan
Tirupattrur, Vellore District. ... Petitioner

v.

- 1 State of Tamil Nadu
Rep. by District Collector
Vellore District.
- 2 District Revenue Officer
Collectorate, Sathuvaachari
Vellore District.
- 3 Sub Collector
Tirupattur
Vellore District -635 601.
- 4 The Thasildar
Tirupattur Taluk Vellore District.
- 5 The Commissioner
Tirupattur Town Municipality
Tirupattur, Vellore District ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus, forbearing the respondents from dispossessing the Members of the Petitioner Sangam from the land called Panjali Maidanam comprised in S.No.364/1, Tirupattur Town, Vellore District, without complying with the order with the order in Na.Ka.No.B1/8245/2017, dated 04/08/2017.

For Petitioners : Mrs.Sudarsana Sundar
for Ms.V.V.Sathya

For Respondents : Mr.V.Jayaprakash Narayanan
Govt. Pleader (i/c) - for R1 to R4

Mr.P.Srinivas, Standing Counsel-for R5

O R D E R
(Order of the Court made by M.DURAI SWAMY, J.)

The Petitioner-Sangam has filed the above Writ Petition to issue a Writ of Mandamus, forbearing the respondents from dispossessing the Members of the Petitioner-Sangam from the land called Panjali Maidanam comprised in S.No.364/1, Tirupattur Town, Vellore District, without complying with the order dated 04/08/2017.

2. It is the case of the Petitioner-Sangam that their members were sought to be removed by the respondents, therefore, they filed an appeal before the District Revenue Officer, Vellore along with the Stay Petition. The Petitioner-Sangam filed a Writ Petition in W.P.No.15609 of 2008 before this Court and this Court, by order dated 28.07.2008 directed the Petitioner-Sangam to file Stay Petition in the appeal and dispose of the same, within a period of two weeks' time. Thereafter, the petitioner also filed a Writ Petition in W.P.No.4319 of 2009 and this Court, by order dated 18.01.2018, dismissed the Writ Petition as infructuous.

3. The 1st respondent, by order dated 04.08.2017, passed an order for removal of encroachment made by the members of the Petitioner-Sangam. Thereafter, the petitioner gave a representation dated 04.09.2017 to the 5th respondent to allot alternative accommodation to the members of the Petitioner-Sangam.

4. The learned Government Pleader (i/c) appearing for the respondents 1 to 4 submitted that the representation given by the Petitioner-Sangam will be effected only after following due process of law and that their representation will also be considered in accordance with law

5. In these circumstances, we do not find any reason to keep the Writ Petition pending. Recording the submission made by the learned Government Pleader (i/c), the Writ Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

Rj
To

- 1 The District Collector
Vellore District.
- 2 District Revenue Officer
Collectorate, Sathuvaachari
Vellore District.
- 3 Sub Collector
Tirupattur, Vellore District -635 601.
- 4 The Thasildar
Tirupattur Taluk Vellore District.
- 5 The Commissioner
Tirupattur Town Municipality
Tirupattur, Vellore District

+1cc to M/s.M.V.Venkateshan, Advocate SR.No.81821

+1cc to Mr.P.Srinivas, Advocate SR.No.82329

+1cc to Special Government Pleader SR.No.82223

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SVN(CO)
GMY(12/12/2018)



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