



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2018

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE M.DURAISWAMY
and
THE HONOURABLE DR.JUSTICE ANITA SUMANTH**

W.P. (MD).Nos.12829, 12981, 12998 and 13010 of 2018
and
W.M.P (MD) Nos.11700, 11868, 11883 and 11892 of 2018

W.P(MD)No.12829 of 2018:

A.Muthu Vazhivittal

... Petitioner

Vs.

1.The Secretary to Government,
Revenue Department,
Secretariat, Chennai - 600009.

2.The District Collector,
Ramanathapuram District.

3.The Thasildar,
Kamuthi Taluk,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to forbear the 2nd respondent not to disturb peaceful possession and enjoyment of the house property in Survey Nos.209, 210 situated at Kovilangulam Village, Kamuthi Taluk, Ramanathapuram District, without due process of law and consequently, direct the first respondent to issue absolute patta to ensure her shelter.

W.P(MD)No.12981 of 2018:

Amaravathi

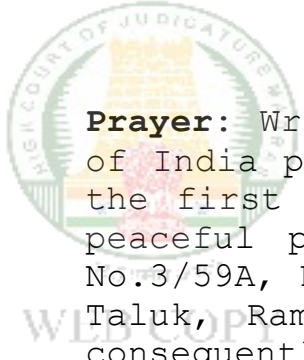
... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District.

3.The Thasildar,
Kamuthi Taluk,
Ramanathapuram District.

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to forbear the 2nd respondent not to disturb peaceful possession and enjoyment of the house property in Old No.3/59A, New No.3/90, South Street, Kovilangulam Village, Kamuthi Taluk, Ramanathapuram District, without due process of law and consequently, direct the first respondent to issue absolute patta to ensure her shelter.

W.P(MD)No.12998 of 2018:

Sathiyendran

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District.

2.The Thasildar,
Kamuthi Taluk,
Ramanathapuram

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to forbear the 2nd respondent not to disturb peaceful possession and enjoyment of the house property with tea shop in Survey No.210 measuring to an extent of 00099 sqm situated at Kovilangulam village, Kamuthi Taluk, Ramanathapuram District., without due process of law and consequently, direct the first respondent to issue absolute patta to ensure his shelter.

W.P(MD)No.13010 of 2018:

Mariamammal

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District.

2.The Thasildar,
Kamuthi Taluk,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to forbear the 2nd respondent not to disturb the peaceful possession and enjoyment of the house property in Old No.3/58A, New No.3/94, South Street, Kovilangulam Village, Kamuthi Taluk, Ramanathapuram District, without due process of law and consequently, direct the first respondent to issue absolute patta to ensure his shelter.



(In all W.Ps.)

For Petitioner

: Mr.J.Vijayaraja

(In W.P(MD)Nos.12829, 12981, 12998 of 2018)

For respondents

:Mr.A.K.Baskarapandian,
Special Government Pleader

(In W.P(MD)No.13010 of 2018)

For Respondents

:Mrs.V.P.M.Vaishnavi
Government Advocate

WEB COPY

COMMON ORDER

(Order of the Court was made by **M.DURAISWAMY, J.**)

The petitioners have filed the above writ petitions, to issue Writs of Mandamus, directing the first respondent to forbear the second respondent not to disturb the peaceful possession and enjoyment of their properties situated at Kovilangulam Village, Kamuthi Taluk, Ramanathapuram District, without due process of law and consequently, direct the first respondent to issue absolute patta to ensure their shelter.

2. Mr.A.K.Baskarapandian, learned Special Government Pleader takes notice for the respondents in W.P(MD)Nos.12829, 12981, 12998 of 2018 and Mrs.V.P.M.Vaishnavi, learned Government Advocate takes notice for the respondents in W.P(MD)No.13010 of 2018 and submitted that the petitioners have encroached the property belonging to the Highways Department.

3. However, the learned Special Government Pleader submitted that the respondents would evict the petitioners only by following the due process of law.

4. The learned counsel appearing for the petitioners submitted that the respondents may be directed to evict the petitioners after following the due process of law.

5. In view of the submissions made by the learned counsel appearing on either side, the respondents are at liberty to evict the petitioners after following the due process of law giving an opportunity of hearing to the petitioners.

6. With these observations, these Writ Petitions are disposed of. No Costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (W)



To

1.The Secretary to Government,
Revenue Department,
Secretariat, Chennai - 600009.

2.The District Collector,
Ramanathapuram District.

3.The Thasildar,
Kamuthi Taluk,
Ramanathapuram District.

+1CC TO SPECIAL GOVERNMENT PLEADER, SR NOS.69106 & 69135

+4CC TO Mr.J.Vijayaraja, Advocate, Sr Nos.68904 to 68907

W.P.(MD).Nos.12829, 12981, 12998 and 13010 of 2018

20.06.2018

PM

MS/PN/VK/21.06.2018/4P.9C