



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 26.06.2018**

CORAM

THE HONOURABLE MR. JUSTICE M.V. MURALIDARAN

C.R.P (PD) (MD) .Nos. 1244 and 1245 of 2018

and

CMP (MD) .Nos. 5258 and 5259 of 2018

WEB COPY

1. Muru. Kalairajan
2. D. Sivabalan
3. P. Senthilnathan
4. J. Thamaraikannan
5. S. Sevarkodiyan
6. R. Pannerselvam
7. K. Jothilingam

... Petitioners in both CRPs

Vs.

Alagammal

... 1st Respondent in CRP.No.1244/18

Malarvizhi

... 1st respondent in CRP.No.1245/18

2. The District Collector,
Collectorate,
Sivagangai District.

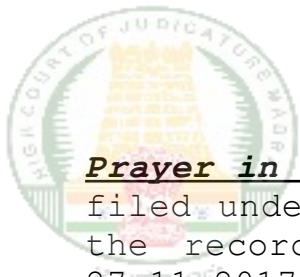
3. The Thasildar,
Devakottai Taluk,
Devakottai,
Sivagangai District.

4. The Revenue Inspector,
Kandadevi Sub Division,
Devakottai Taluk,
Devakottai,
Sivagangai District.

5. The Village Administrative Officer,
Kandadevi Village,
Devakottai Taluk,
Devakottai,
Sivagangai District.

.. Respondents 2 to 5 in both CRPs

Prayer in CRP (MD) .No.1244 of 2018: This Civil Revision Petition is filed under Article 227 of the Constitution of India to call for the records pertaining to the order and decreetal order dated 19.12.2017 in I.A.No.779 of 2017 in O.S.No.129 of 2016 passed by the learned District Munsif, Devakottai and set aside the same by allowing this Civil Revision Petition.



Prayer in CRP (MD) .No.1245 of 2018: This Civil Revision Petition is filed under Article 227 of the Constitution of India to call for the records pertaining to the order and decreetal order dated 27.11.2017 in I.A.No.900 of 2017 in O.S.No.128 of 2016 passed by the learned District Munsif, Devakottai and set aside the same by allowing this Civil Revision Petition.

For Petitioners

... Mr.R. Rajamohan
in both CRPs.

For Respondent
Nos.2 to 5

... M/s.V.P.M. Vaishnavi,
Govt Advocate
in both CRPs.

COMMON ORDER

The C.R.P.(MD).No. 1244 of 2018 has been filed to call for the records pertaining to the order and decreetal order dated, 19.12.2017 in I.A.No.779 of 2017 in O.S.No.129 of 2016 by the learned District Munsif, Devakottai and set aside the same. The C.R.P.(MD).No. 1245 of 2018 has been filed to call for the records pertaining to the order and decreetal order, dated 27.11.2017 in I.A.No.900 of 2017 in O.S.No.128 of 2016 by the learned District Munsif, Devakottai and set aside the same.

2. The revision petitioners, who are the third parties, have filed Interlocutory Applications in I.A.Nos.779 and 900 of 2017 to implead them as a party defendants in the suits in O.S.Nos. 128 and 129 of 2016. The first respondent in both the Civil Revision Petitions have filed the said suits seeking to declare the notice issued under Sections 6 and 7 of the Tamil Nadu Land Encroachment Act, as null and void.

3. It is the case of the revision petitioners that they have filed W.P.(MD).No. 18029 of 2016, by way of Public Interest Litigation, before this Court. By virtue of the order passed in the said Writ Petition, the respondent Nos. 2 to 5, Government Authorities have taken action against the first respondent in both Civil Revision Petitions and issued notice under the Tamil Nadu Land Encroachment Act, which was challenged by them before the learned District Munsif, Devakottai in O.S.Nos. 128 and 129 of 2016.

4. Admittedly in the said Interlocutory Applications i.e in I.A.Nos.779 and 900 of 2017 in O.S.Nos. 128 and 129 of 2016, a separate ex parte order was passed, due to the non - appearance of the defendants in the suits viz., Government Authorities. The petitioners have filed the said applications to implead them as party defendants in the suits, which were dismissed by the learned



4.The Revenue Inspector,
Kandadevi Sub Division,
Devakottai Taluk,
Devakottai,
Sivagangai District.

5.The Village Administrative Officer,
Kandadevi Village,
Devakottai Taluk,
Devakottai,
Sivagangai District.

Copy to

The Section Officer, (2 copies)
VR Section,
Madurai Bench of Madras High Court,
Madurai.

+2cc to Mr.R. Rajamohan, Advocate Sr.No.69820,69819
+1cc to Spl.Government Pleader Sr.No.69987

TRP

VB/SB/SAR2/09/07/2018/4P/11C

C.R.P (MD) .Nos. 1244 and 1245 of 2018 and
CMP (MD) .Nos.5258 and 5259 of 2018
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