

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :30.07.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.30210 of 2008
and
MP.1 of 2008

S.Nirmala

..Petitioner

Vs

1. The Collector,
Thiruvallur District,
Thiruvallur.

2. The Executive Engineer PWD
Water Resources Organisation,
Thiruvallur District,
Thiruvallur.

3. The Commissioner
Avadi Municipality, Avadi,
Chennai.

.. Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ order or direction in the nature of writ of Mandamus, directing the respondents not to demolish the building property situated at D.No.44, Plot No.1, S.No.518/2(Part) Senthilnagar, Thirumullaivayal, Chennai, without due to any process of law.

For Petitioner : Dr.R.Sampathkumar

For Respondents : Mrs.K.Bhuvaneshwari, AGP
for R1 & R2
Mr.P.Srinivas for R3.

O R D E R

The prayer sought for herein in this Writ Petition is for issuance of a Writ of Mandamus, directing the respondents not to demolish the building property situated at D.No.44, Plot No.1, S.No.518/2(Part) Senthilnagar, Thirumullaivayal, Chennai, without due process of law.

2. The learned counsel appearing for the petitioner would submit that the prayer sought for in the present writ petition is very simple, directing the respondents not to demolish the said property without due process of law. He further submitted that the property is classified as a porampoke. He would therefore submit that the respondents shall be directed to follow the procedures and take appropriate action against the petitioner's occupation in accordance with law and the petitioner may be granted liberty to file appropriate documents before the authority to establish his case.

3. In view of the above submissions, this Court is inclined to direct the respondents to follow the due process of law before evicting the petitioner from the said premises. The petitioner is also granted liberty to file all the documents before the concerned Authority to substantiate his stand.

4. Accordingly, the present writ petition stands disposed of. No costs. Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

kmm

To

1. The Collector,
Thiruvallur District,
Thiruvallur.
2. The Executive Engineer PWD
Water Resources Organisation,
Thiruvallur District,
Thiruvallur.
3. The Commissioner
Avadi Municipality, Avadi,
Chennai.

+1cc to Mr.P.Srinivas, Advocate, S.R.No.65436
+1cc to the Government Pleader, S.R.No.65920

W.P.No.30210 of 2008

SS(CO)
CS/16/09/2019