

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2019

CORAM :

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. Nos.41414 and 41415 of 2005

Dhanasekaran

..Petitioner in
W.P.41414/2005

Dhayalamoorthy

..Petitioner in
W.P.41415/2005

-Vs-

- 1.The Government of Tamil Nadu,
rep. by its Secretary,
Fisheries Department,
Fort St. George,
Chennai-9.
- 2.The District Collector,
Villupuram District.
- 3.The Tahsildar,
Office of the Tahsildar,
Tindivanam,
Villupuram District.
- 4.The Village Administrative Officer,
216, Urani Village,
Tindivanam Taluk,
Villupuram District.
- 5.The Revenue Inspector,
Marakkanam Firka,
Villupuram District.

.. Respondents

Writ Petition No.41414 of 2005 filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the records of the impugned notice dated 23.11.2005 issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 received on 2.12.2005 by the Tahsildar, Tindivanam, the 3rd respondent and quash the same and

direct the respondents 2, 3 and 5 i.e., The District Collector, Villupuram, The Tahsildar, Tindivanam, The Revenue Inspector, Siruvadi Firka or their subordinates not to take any coercive steps to evict the petitioner from the land under the petitioner's occupation in Survey No.1/-, 1/- 5/9 to an extent of 0.37.5, 0.38.0, 0.25.0 acres in each Survey No. at 216, Urani Village, Tindivanam Taluk, Villupuram District.

Writ Petition No.41415 of 2005 filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the records of the impugned notice dated 23.11.2005 issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 received on 2.12.2005 by the Tahsildar, Tindivanam, the 3rd respondent and quash the same and direct the respondents 2, 3 and 5 i.e., The District Collector, Villupuram, The Tahsildar, Tindivanam, The Revenue Inspector, Siruvadi Firka or their subordinates not to take any coercive steps to evict the petitioner from the land under the petitioner's occupation in Survey No.1/- for an extent of 2.42.0 acres at 216, Urani Village, Tindivanam Taluk, Villupuram District.

For Petitioners : Mr.K.Balakrishnan
For Respondents : Mr.S.N.Parthasarathy
Government Advocate
for respondent
Nos.1 to 3 & 5
No Appearance
for respondent No.4

COMMON ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

Heard Mr.K.Balakrishnan, learned counsel for the petitioners and Mr.S.Kamalesh Kannan, learned Government Advocate for respondent Nos.1 to 3 and 5.

2. The petitioners have filed the writ petitions seeking to quash the notices issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905. The said notices are dated 23.11.2005. The said notices relate to the property in Survey Nos.1/-, 1/-, 5/9 measuring an extent of 0.37.5, 0.38.0 and 0.25.0 hectares in W.P.No.41414 of 2005 and Survey No.1/- measuring an extent of 2.42.0 hectares in W.P.No.41415 of 2005 situated at 216, Urani Village, Tindivanam Taluk, Villupuram District.

3. It is admitted that the petitioners have been evicted from the said lands.

4. In this view of the matter, the writ petitions have become infructuous. Accordingly, the writ petitions are dismissed as infructuous. No costs.

bbr

Sd/-
Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary,
Government of Tamil Nadu,
Fisheries Department,
Fort St. George, Chennai-9.
- 2.The District Collector,
Villupuram District.
- 3.The Tahsildar,
Office of the Tahsildar,
Tindivanam, Villupuram District.
- 4.The Village Administrative Officer,
216, Urani Village,
Tindivanam Taluk,
Villupuram District.
- 5.The Revenue Inspector,
Marakkanam Firka,
Villupuram District.

+1cc to the Govt.Pleader, Advocate, SR.No.50105

W.P.Nos.41414 and 41415 of 2005

Kak (25/07/2019)

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