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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 28.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE RMT. TEEKAA RAMAN

W.P.No.33411 of 2019
and
W.M.P.No.33876 of 2019

Ashraf Ali

... Petitioner

.. Vs ..

State Rep. by its

1. The District Collector,
Thiruvarur District.
2. The Revenue Divisional Officer,
Mannargudi,
Thiruvarur District.
3. The Tahsildar,
Thiruthuraipoondi,
Thiruvarur District.
4. The Block Development Officer,
Muthupettai,
Thiruvarur District.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the respondents from taking any coercive action to dispossess or demolish the structure of Millennium Matriculation School in S.Nos.152/29, 152/30 in Nachikulam Village, Udhayathandapuram, Thiruthuraipoondi Taluk, Thiruvarur District.

For Petitioner : Mr.G.Mohammed Aseef

For RR-1 to 3 : Mr.P.S.Shivashanmugha Sundaram,
Special Government Pleader

For R-4 : Mr.V.Jayaprakash Narayanan



ORDER

[Order of the Court was made by M.M.SUNDRESH,J.]

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The petitioner is running a Millennium Matriculation School and on the premise that there is a likelihood of demolition of the School with specific reference to S.Nos.152/29, 152/30 in Nachikulam Village, Vdhayathandapuram, Thiruthuraipoondi Taluk, Thiruvarur District, the present writ petition has been filed before this Court.

2. The learned counsel for the petitioner submitted that earlier, the wall has been demolished. Now, an attempt is being made to demolish the main building.

3. The learned Special Government Pleader appearing for the respondents-State, on instructions, submitted that the aforesaid wall has been demolished after due process, in pursuant to the order passed in W.P.No.31053 of 2019. The wall was situated in the encroached portion in Survey No.152/2. The petitioner's School is situated at Survey Nos.152/29 and 152/30 which are not under encroachment. Therefore, there is no question of demolition of the said Survey Nos.152/29 and 152/30, in Nachikulam Village, Vdhayathandapuram, Thiruthuraipoondi Taluk, Thiruvarur District.

4. In view of the aforesaid submissions, the apprehension of the petitioner is misplaced. There is no demolition undertaken in Survey Nos.152/29 and 152/30, in which, the School building has been put up.

5. With the aforesaid observations, this Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

Jrl
To

1. The District Collector,
Thiruvarur District.



2. The Revenue Divisional Officer,
Mannargudi,
Thiruvarur District.

3. The Tahsildar,
Thiruthuraipoondi,
Thiruvarur District.

4. The Block Development Officer,
Muthupettai,
Thiruvarur District.

+1cc to the Government Pleader Sr.99944

W.P.No.33411 of 2019

rsv[col]
srg 10/01/2020