

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH  
and  
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No. 8819 of 2020  
& W.M.P.Nos. 10707, 10709,10710 & 10755 of 2020

P.Rukmani

..Petitioner

Vs

1.The District Collector  
Cuddalore District.

2.The District Revenue Officer  
Cuddalore District.

3.The Revenue Divisional Officer  
Virdhachalam Division, Vridhachalam,  
Cuddalore District

4.The Tahsildar  
Tittakudi Taluk, Cuddalore District.

..Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorari mandamus calling for the records of the 4th respondent in his proceedings dated 05.08.2019 under section 6 of the Tamilnadu Land Encroachment Act and to quash the same as illegal and direct the respondents to pay the petitioner adequate compensation for the demolished portion of the hut owned by the petitioner lying in S.No.405/6 Old S.No.234/3 part of Thachur Vilage, Thittakudi Taluk, Cuddalore District and to restore the possession of the petitioner within the time frame to be fixed by this Court. (Cause title amended vide order dated 24.7.2020 made in W.M.P.No.11878 of 2020 in W.P.No.8819/2020)

For Petitioner .. Mr.G.Ilamurugu

For Respondents .. Mr.R.Udayakumar, AGP

ORDER  
(Order of the Court was made by M.M.SUNDRESH, J.)

Challenging the proceedings of the fourth respondent dated 05.08.2019 and for a consequential direction to pay adequate compensation to the petitioner for the demolished portion of the hut owned by the petitioner lying in S.No.405/6 Old S.No.234/3 part of Thachur Vilage, Thittakudi Taluk, Cuddalore District and to restore the possession of the petitioner, the present writ petition has been filed.

2. Heard the learned counsel appearing for the parties.

3. From the documents filed, it is seen that the petitioner has already filed an appeal before the first respondent along with stay petition on 19.08.2019. In such view of the matter, we direct the first respondent to dispose of the same within a period of eight weeks from the date of receipt of a copy of this order. Needless to state that the first respondent shall consider the case of the petitioner on merit which is inclusive of entitlement of the petitioner over the property in question and the validity of the order under challenge. The status quo as on today shall be maintained meaning thereby no third party interest will be created in view of the submission made by the petitioner that the petition has already been disposed of. The petitioner is directed to give another representation to the respondents within a period of two weeks along with the copy of this order.

4. The writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-  
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1.The District Collector,  
Cuddalore District.

2.The District Revenue Officer,  
Cuddalore District.

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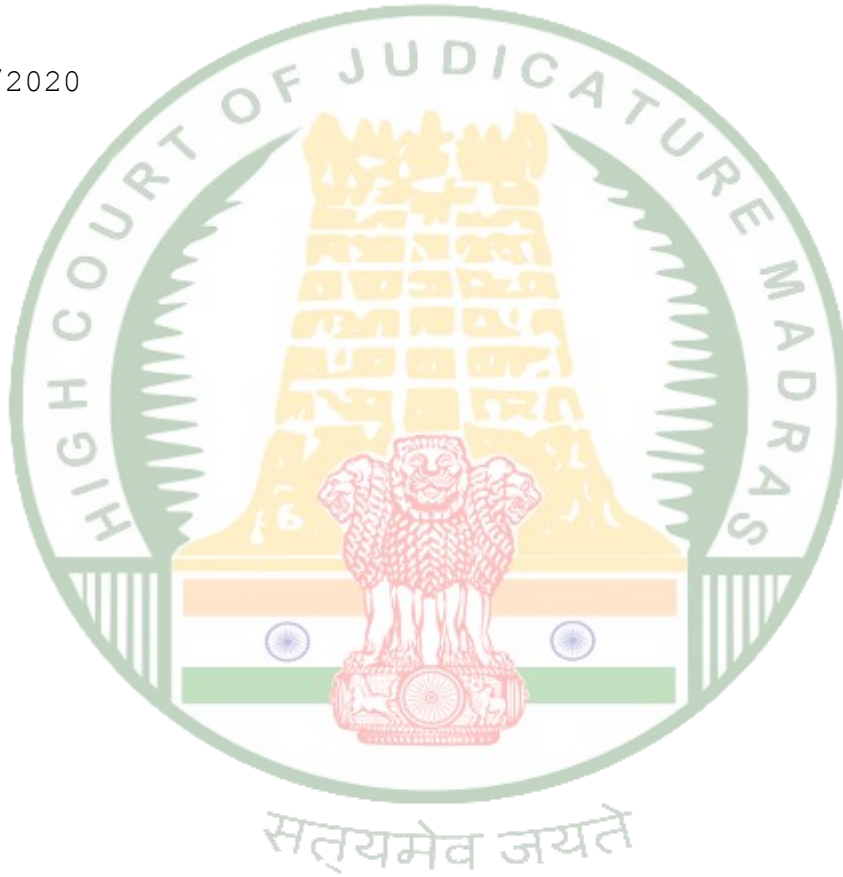
3.The Revenue Divisional Officer,  
Virdhachalam Division, Vridhachalam,  
Cuddalore District

4.The Tahsildar  
Tittakudi Taluk, Cuddalore District.

+1cc to Mr.G.Ilamurugu, Advocate, S.R.No.25719

W.P.No. 8819 of 2020

NAS (CO)  
KKV/27/08/2020



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