

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2020

CORAM

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

W.P.No. 10148 of 2020
and W.M.P.No.12327 of 2020

Kothandapani

.. Petitioner

Vs

1. The State of Tamil Nadu,
Rep by its District Collector,
Chengalpattu District,
Chengalpattu - 603 111.
2. The Thasildar,
Taluk Office,
GST Road, Tambaram,
Chennai - 600 045.
3. M/s.Sensex Financial Services,
Private Limited, Jolly Bhavan 2,
1st Floor, New Marine Lines, Church Gate,
Mumbai - 400 020.
Rep by Power Agent, Kimraj Jain,
S/o.Jeevaraj,
Aged about 71years,
Residing at No.1168,
Velachery Main Road,
East Tambaram, Chennai - 600 059.

4. Chandrasekar

Rep. By his power agent Kalavathy

.. Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the records and quash the order passed in NA.Ka.1700/2020/A2, dated 27.07.2020 passed by the 2nd respondent and consequently direct the respondents not to evict and interfere with the peaceful possession and ownership of the petitioner in Nanja Old S.No.56/A, to an extent of 0.6 cents out of 0.12 cents being subdivided in S.No.56-A/2 later converted into T.S.No.43 of an extent of 2 Acres and 340 Sq.Mts.

on North bound by Sappiyer land, on the south and on the East by Government Canal and on the West by Munu Chandra Pillai land in Selaiyur Village, Chitlapakam Firka, Tambaram Taluk, Chenaglpattu District.

For Petitioner .. Mr.R.Siddharth

For Respondents .. Mr.G.K.Muthukumar (RR1 & 2)
Special Government Pleader

ORDER

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

Challenging the order passed by the second respondent dated 27.07.2020 and for a consequential direction to the respondents not to evict and interfere with the peaceful possession and ownership of the petitioner in Nanja Old S.No.56/A, to an extent of 0.6 cents out of 0.12 cents being subdivided in S.No.56-A/2 later converted into T.S.No.43 of an extent of 2 Acres and 340 Sq.Mts. on North bound by Sappiyer land, on the south and on the East by Government Canal and on the West by Munu Chandra Pillai land in Selaiyur Village, Chitlapakam Firka, Tambaram Taluk, Chenaglpattu District, the present writ petition has been filed.

2.Though the counter affidavit has been filed by the second respondent stating that the petitioner has encroached upon the public property, the learned counsel appearing for the petitioner submitted that inasmuch as there is provision for appeal before the District Collector, Chengalpattu, we accordingly give liberty to the petitioner to do so.

3.Accordingly, without going into the merits of the case, the writ petition stands disposed of, giving liberty to the petitioner to file an appeal as sought for by him, within a period of two weeks from the date of receipt of a copy of this order. As and when such an appeal is filed, as aforesaid, the same will have to be disposed of by the District Collector, Chengalpattu, within a period of eight weeks thereafter. Till such time, status quo as on today shall be maintained. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Chengalpattu District,
Chengalpattu - 603 111.

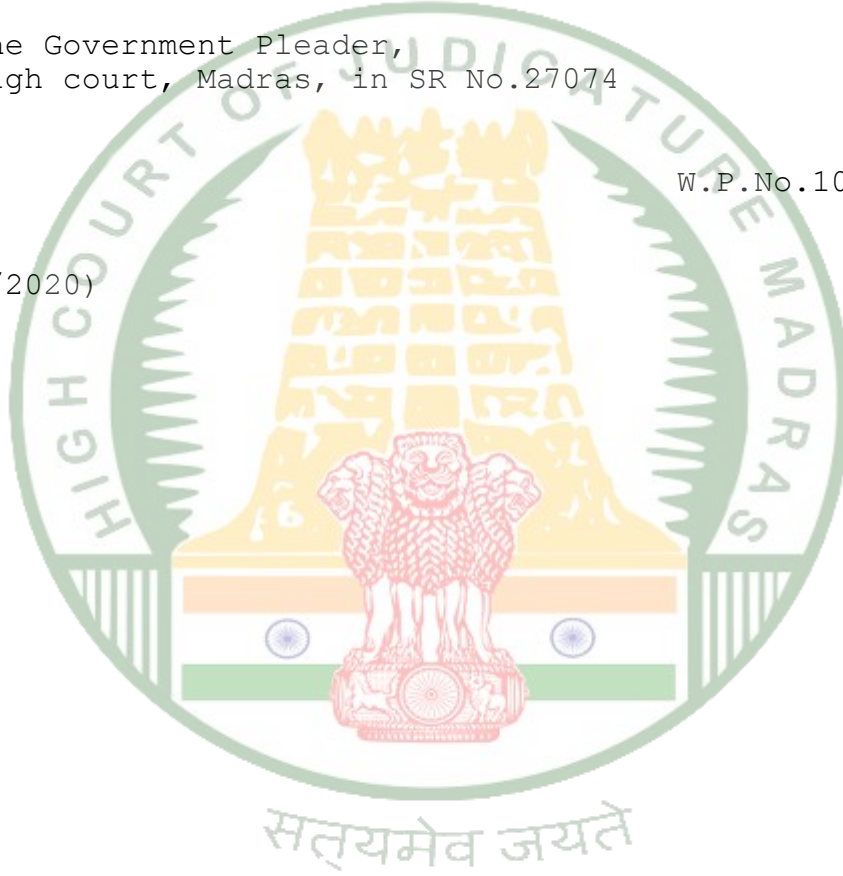
2. The Thasildar,
Taluk Office,
GST Road, Tambaram,
Chennai - 600 045.

+1cc to Mr.R.Siddharth, Advocate SR No.26886

+1cc to The Government Pleader,
High court, Madras, in SR No.27074

W.P.No.10148 of 2020

BR (CO)
RV (04/09/2020)



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