

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2020

CORAM

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

W.P.Nos. 11123 & 11125 of 2020
& W.M.P.Nos. 13562 & 13565 of 2020

K.Vimala ... Petitioner
in W.P.No. 11123/2020

B.Vasanthala ... Petitioner
in W.P.No. 11125/2020

vs

1.The Assistant Divisional Engineer
(Highways), B and C, Section,
Polur Sub - Division,
Polur 606 803,
Thiruvannamalai District.

2.The District Collector
Collectorate, Thiruvannamalai District... Respondents
in both W.Ps

Petitions filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus calling for records pertaining to impugned letter No. 900/ 2018 (Encroachments) dated 06.08.2020 on the file of the first respondent and quash the same, consequently, forbearing the respondents from interfering with peaceful possession and enjoyment of petitioner bearing in Door number 1/ 146 & 1/147 measuring 595 Sq. feet/ measuring Hers.0.00.0/00024 (terraced dwelling house) at Adhamangalampudur village Kalasapakkam Taluk, Thiruvannamalai District.

For Petitioner .. Mr.P.Ganapathy
(in both WPs)
For Respondents .. Ms.R.J.Radhika,
(in both WPs) Government Advocate

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

Challenging the impugned orders by which the petitioners were advised to remove the alleged encroachment within a period of seven weeks and any failure would result in further action, the present writ petitions have been filed.

2.Learned counsel appearing for the petitioners submitted that the orders impugned are passed without jurisdiction.

3.Learned Government Advocate appearing for the respondents submitted that the impugned orders are only show cause notices as indicated thereunder, only after hearing the petitioners, the final orders can be passed.

4.In such view of the matter, the writ petitions stand disposed of giving liberty to the petitioners to give reply to the impugned notices dated 06.08.2020 within a period of two weeks from the date of receipt of a copy of this order. On considering the same, a final speaking order will have to be passed by the first respondent within a further period of four weeks thereafter. Needless to state that till such time appropriate final orders are passed, status quo as on today shall be maintained insofar as the possession is concerned. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1.The Assistant divisional Engineer
(Highways), B and C, Section,
Polur Sub - Division,
Polur 606 803, Thiruvannamalai District.

2.The District Collector
Collectorate, Thiruvannamalai District.
+2ccs to Mr.P.Ganapathy, Advocate , sr no.27707 & 27709

W.P.No.11123 & 11125 of 2020

SS(CO)

RMP(03/09/2020)