

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.08.2020

CORAM

THE HONOURABLE THIRU JUSTICE N.ANAND VENKATESH

W.P.No.11338 of 2020 and
W.M.P.Nos.13821, 13829 of 2020

1. Sagunthala,
W/o.late Dhanarajan,
No.2/160, Hospital Colony,
28th Ward, Kumaran Nagar,
Mettur Dam -1,
Salem District.
 2. Muniyammal,
W/o.Moorthy @ Arumugam,
Hospital Colony,
28th Ward, Kumaran Nagar,
Mettur Dam - 1,
Salem District.
 3. Arunagiri,
S/o.Palaniyappan,
No.2/144, Hospital Colony,
28th Ward, Kumaran Nagar,
Mettur Dam - 1,
Salem District.
- ... Petitioners

The Commissioner,
Mettur Municipality,
Mettur, Salem District. सत्यमेव जयते .. Respondent

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, forbearing the respondent from evicting the petitioners from their respective houses situated in Ward A, Block 22 T.No.35 at Mettur Dam (Hospital Colony, 28th municipal ward, Kumaran Nagar, Mettur Dam), Salem District, without following the due process of law.

For Petitioners :Mr.V.Elangovan
For Respondent :Mr.L.P.Maurya, Standing Counsel

ORDER

On the consent given by either side, the main writ petition itself has been taken up for final hearing.

2. This writ petition has been filed for issuance of writ of mandamus forbearing the respondent from evicting the petitioners from the subject property without following the due process of law.

3. The case of the petitioners is that they are in possession and enjoyment of the subject property for a long period of time. The respondent is trying to evict the petitioners without following the due process of law.

4. Mr.L.P.Maurya, learned standing counsel appearing for the respondent submitted that the petitioners have encroached the Government property and therefore, the respondent is taking steps to remove the encroachment. The learned counsel also submitted that the respondent will follow the due process of law to evict the petitioners.

5. Taking into consideration the facts and circumstances of the case, there shall be a direction to the respondent to follow the due process of law and thereafter undertake the process of eviction by putting petitioners on notice.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

gsk

To

The Commissioner,
Mettur Municipality,
Mettur, Salem District.

+1 cc to M/s.S.Duraisamy, Advocate Sr.No. 28245

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MTI (CO)

RMP (09/11/2020)