

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

W.P.No.35917 of 2019

K.Manokaran

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Petitioner

versus

1.The Revenue Divisional Officer,
Ponneri Division,
Ponneri, Thiruvallur District.

2.The Tahsildar,
Gummidipoondi Taluk,
Gummidipoondi,
Tiruvallur District.

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Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the respondents from the peaceful possession of the said petitioner in premises at No.118, Perumal Koil Street, Enadhimelpakkam, Gummidipoondi, Thiruvallur District - 601 201 situated in Survey No.237/24 in Enathimelpakkam Village, Gummidipoondi Firka, Thiruvallur District, without due process of law.

For Petitioner : Mr.K.B.Vivekanandhan

For Respondents: Mr.V.Shanmuga Sundar
Special Government Pleader

O R D E R

[Order of this Court was made by R.SUBBIAH, J.]

The petitioner has come up with the present Writ Petition for a Mandamus, forbearing the respondents from interfering with the peaceful possession of his premises at No.118, Perumal Koil Street, Enadhimelpakkam, Gummidipoondi, Thiruvallur District - 601 201 situated in Survey No.237/24.

2. The case of the petitioner is that on 29.08.2019, the first respondent orally directed the petitioner to vacate his premises without assigning any reason. Before making such an oral direction, no statutory notice has been issued by affording an opportunity of personal hearing to the petitioner. Hence, the petitioner has come forward to file this Writ Petition.

3. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

4. Today, when the matter is taken up for hearing, the learned Special Government Pleader appearing for the respondents submitted that the petitioner is an encroacher and therefore, the respondents will issue notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 and initiate proceedings to evict the petitioner, under due process of law.

5. Recording the said submission made by the learned Special Government Pleader appearing for respondents, this Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sri

To

1.The Revenue Divisional Officer,
Ponneri Division,
Ponneri, Thiruvallur District.

2.The Tahsildar,
Gummidipoondi Taluk,
Gummidipoondi,
Tiruvallur District.

+1cc to Mr.K.B.Vivekanandhan, Advocate sr.3350
+1cc to Government Pleader SR.NO. 3182

W.P.No.35917 of 2019

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