

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P.Nos.8788, 8789, 8790, 8791, 8792,
9185, 9186, 9187, 9188 and 9189 of 2017
and W.M.P.Nos.9629, 9630, 9631, 9632, 9633, 9634, 9635,
9636, 9637, 9638, 9639, 9640, 9641, 9642, 9643,
10105, 10106, 10107, 10108, 10109, 10110, 10111, 10112,
10113, 10114, 10115, 10116, 10117, 10118, 10119

Usha	...	Petitioner in W.P.No.8788 of 2017
Savithiri	...	Petitioner in W.P.No.8789 of 2017
Sarojammal	...	Petitioner in W.P.No.8790 of 2017
Rajkumar	...	Petitioner in W.P.No.8791 of 2017
Pattammal	...	Petitioner in W.P.No.8792 of 2017
Nagamma	...	Petitioner in W.P.No.9185 of 2017
Kannan	...	Petitioner in W.P.No.9186 of 2017
Kanthammal	...	Petitioner in W.P.No.9187 of 2017
Ellammal	...	Petitioner in W.P.No.9188 of 2017
Bharathi	...	Petitioner in W.P.No.9189 of 2017

Vs.

1. The State of Tamil Nadu,
Represented by its
Secretary to Government,
Revenue Department,
Fort St. George,
Chennai - 600 009.
2. The District Collector,
Krishnagiri,
Krishnagiri District.
3. The Sub-Collector,
Hosur,
Krishnagiri District.
4. The Tahsildar,
Hosur,
Krishnagiri District.

5. The Village Administrative Officer,
Moranapalli,
Hosur Taluk,
Krishnagiri District.

...Respondents
in all WPs

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India, for issuance of a writ of Certiorari to call for the records of the 3rd respondent relating to Pa.Mu.No.665/2016/A2 dated 20.02.2017, quash the same.

For Petitioners in all WPs: Mr.R.Bharath Kumar
For Respondents in all WPs: Mr.A.Kumar, AAG
Assisted by Mr.R.S.Selvam
Government Advocate

C O M M O N O R D E R

These batch of writ petitions have been filed challenging the order dated 20.02.2017 passed by the third respondent, cancelling the pattas issued in favour of the respective petitioners.

2.Heard Mr.R.Bharath Kumar, learned counsel for the petitioners and Mr.A.Kumar, learned Additional Advocate General appearing for the respondents.

3.Mr.A.Kumar, learned Additional Advocate General appearing for the respondents drew the attention of this Court to paragraph No.6 of the additional counter affidavit filed by the fourth respondent on 20.02.2020 which reads as follows:

"6.It is submitted that the 3rd respondent / the Sub Collector found noticed that there is violation of law and rules. Hence the 3rd respondent / the Sub Collector cancelled the house site pattas issued to the allottees in Na.Ka.No.3083/2008(B3) dated 24.10.2008 except the 4 persons and the same was entered in the prohibition order book (POB). Now, currently this respondent inspected the subject matter land and found that apart from the earlier 4 persons, another 10 Karnataka refugees have constructed houses and residing there. These 10 persons are the present writ petitioners before the Hon'ble Court. It has also been verified that these 10 petitioners are original Karnataka Refugees. Hence we have decided to issue them House Pattas.

Referring to the aforesaid paragraph, learned Additional Advocate General submitted that the respondents have decided to issue house site pattas to the respective petitioners and the fourth respondent is also taking steps to send the proposals to Government to delete the entries made in prohibition order book (POB) for the 10 petitioners.

4.The learned Additional Advocate General also submitted that on receipt of the order from the Government, house site pattas will be issued to 10 petitioners.

5.Recording the submissions made by the learned Additional Advocate General as well as after recording the statement made in paragraph No.6 of the counter affidavit filed by the fourth respondent on 20.02.2020, this Court quashes the impugned order with respect to these 10 petitioners alone and this Court also directs the fourth respondent after getting the permission from the first respondent to issue house site pattas to the respective petitioners within a period of six months from the date of receipt of a copy of this order. Till such time, it is made clear that possession of the respective petitioners over their respective properties shall not be disturbed by the respondents.

6.With the aforesaid direction, these batch of writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

s/d-
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

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To

1. The Secretary to Government,
Revenue Department,
Fort St. George,
Chennai - 600 009.

2. The District Collector,
Krishnagiri,
Krishnagiri District.

3. The Sub-Collector,
Hosur,
Krishnagiri District.

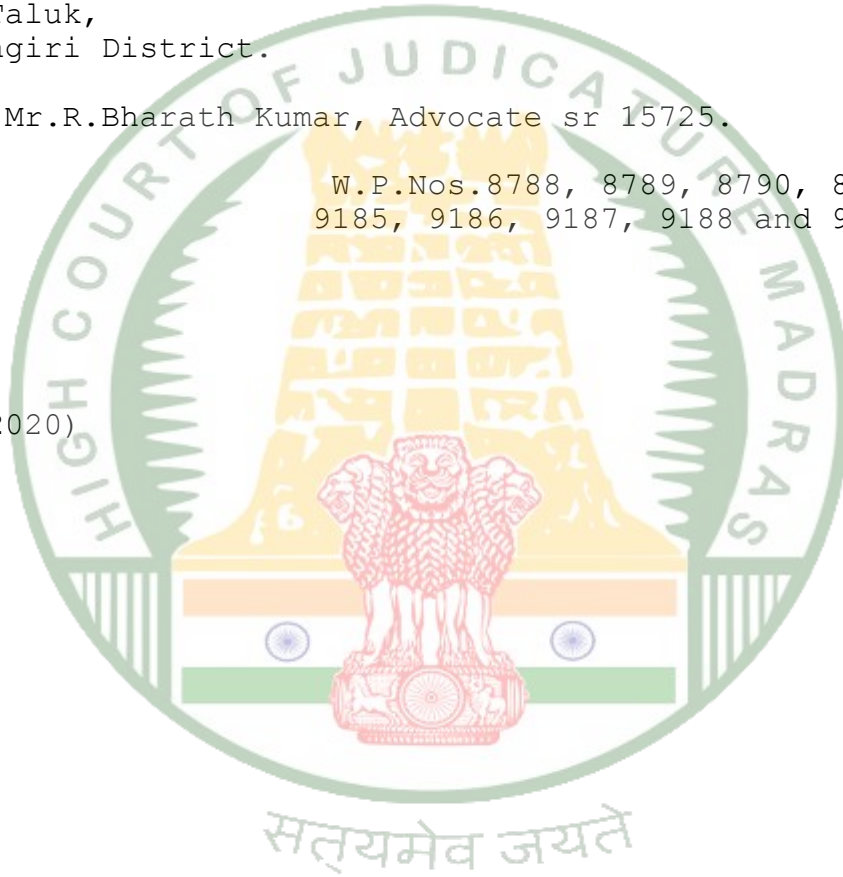
4. The Tahsildar,
Hosur,
Krishnagiri District.

5. The Village Administrative Officer,
Moranapalli,
Hosur Taluk,
Krishnagiri District.

+5 Ccs to Mr.R.Bharath Kumar, Advocate sr 15725.

W.P.Nos.8788, 8789, 8790, 8791, 8792,
9185, 9186, 9187, 9188 and 9189 of 2017

PVS (CO)
SP(20/03/2020)



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