



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:11.02.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.2608 of 2020

and

W.M.P(MD)Nos.2253 and 2254 of 2020

WEB COPY

Manivannan

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Devakkottai,
Sivagangai District.

3.Vijaya

4.The Superintendent of Police,
Sivagangai,
Sivagangai District.

5.The Sub-Inspector of Police,
Keelasevalpatti,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Ceritorarified Mandamus calling for the records relating to the impugned order of the second respondent in Proceedings in Moo.Mu.Aal/7147/2019, dated 13.09.2019 and to quash the same as unconstitutional.

For Petitioner : Mr.M.Murugesan
for M/s.J.Sivaram

For Respondents : Mr.Aayiram K.Selvakumar
1,2,4 and 5 Additional Govt.Pleader

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Ceritorarified Mandamus to quash the impugned order of the second respondent/The Revenue Divisional Officer, in Proceedings in Moo.Mu.Aal/7147/2019, dated 13.09.2019, as unconstitutional.

<https://hcservices.courts.madras.gov.in> 2.Mr.Aayiram K.Selvakumar, learned Additional Government



Pleader takes notice for the respondents 1,2,5 and 6.

3. By consent of parties, the main Writ Petition is taken up for final disposal.

4. This Writ Petition is filed challenging the order passed by the Revenue Divisional Officer, Devakkottai, Sivagangai District/the Second Respondent herein, dated 6.8.2019 in Proceedings No.Moo.Mu.Aa1/3439/2019 and yet another order passed in Proceedings No.Moo.Mu.Aa1/7147/2019, dated 13.09.2019, As per the said order, the choice is given to the Petitioner in the said proceedings that the third respondent should either to permit the Petitioner herein to continue to live with them or can ask the Petitioner to vacate the premises. Aggrieved by the above order, the present Writ Petition is filed.

5. The learned Additional Government Pleader appearing for the respondents 1,2,4 and 5, upon instructions, produced a letter, dated 23.1.2020, written by the Petitioner herein giving an undertaking to the Tahsildar, Thirupattur that he would vacate the premises on or before 31.1.2020. However, as seen from the typed-set of papers filed along with the Writ Petition, there is yet another representation given by the Petitioner, dated 5.2.2020 addressed to the first respondent/The District Collector, Sivagangai District, Sivagangai seeking six months time to vacate the premises, for the reason that his children are studying in School. However, normally the academic year come to an end by April, by which time, the classes are also over.

6. Therefore, the Petitioner is directed to vacate the premises in question on or before 30.4.2020 and hand-over the key to the Tahsildar, Thirupattur, failing which, it is open to the third respondent to inform the Police to take appropriate action. Till such time the Petitioner vacates the premises, he should not cause any disturbance to the third respondent or others.

7. With the above directions, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)



To

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1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Devakkottai,
Sivagangai District.

3.The Superintendent of Police,
Sivagangai,
Sivagangai District.

4.The Sub-Inspector of Police,
Keelasevalpatti,
Sivagangai District.

+1 CC to SPL.GP (SR-5831[F] dated 12/02/2020)

+1 CC to MR.J.SIVARAM, Advocate (SR-5979[F] dated 12/02/2020)

ORDER MADE IN
W.P (MD) No.2608 of 2020
and
W.M. P (MD) Nos.2253 and
2254 of 2020
11.02.2020

_KM/(18.02.2020) 3P 7C