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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Monday, the Thirteenth day of September
Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice K.KALYANASUNDARAM
and
The Hon`ble Mr.Justice V.SIVAGNANAM

WP No.14235 of 2021

Rt.Rev.Dr.J.A.David Onesimu,
Bishop-President,
Evangelical Church of India,
No.1, Orem Road, Kilpauk,
Chennai - 600 010.

... Petitioner

Vs

1.The Principal Secretary,
Government of Tamil Nadu,
Housing & Urban Development Department,
Fort St.George, Chennai - 600 009.

2.The Chairman,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chepauk, Chennai - 600 005.

3.The Managing Director,
Slum Clearance Board,
No.5, Kamarajar Salai,
Chepauk, Chennai - 600 005.

4.The Executive Engineer,
Division No.3,
Tamil Nadu Slum Clearance Board,
Vyasarpadi, Chennai - 600 039.

5.The Executive Engineer,
Regional Office - 1,
Chennai Metropolitan Water
Supply and Sewerage Board,
No.1, Pumping Station Road,
Chindadripet, Chennai - 600 002.

6.The Collector,
Chennai District,
Singaravelar Maaligai,
Rajaji Salai, Chennai - 600001.

... Respondents



PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance a Writ of Certiorarified Mandamus, calling for the records relating to the Cancellation Order of the 3rd Respondent made in Ref.No.P2/21219/2018 dated 28.02.2019; the Order of rejection of Appeal passed by the 1st respondent in Letter No.6853/SC2 (1)/2019-4 dated 28.06.2019 and the consequential 1st eviction Order passed by the 4th respondent made in Na.Ka.No.294/A1/Ko.3/2020 dated 09.10.2020 and the 2nd eviction order passed by the 5th respondent made in Letter No.Che.Ku.Va./Part-8/Workshop-96/3286/2020 dated 15.10.2020 and to quash the same and consequently direct the 2nd respondent to sell the land of 1659 sq.ft., as earlier offered by the order of the 2nd respondent made in Na.Ka.No.4170/95/Ni.Aa1(1) dated 23.11.2000 to the petitioner.

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.A.M.PACKIANATHAN EASTER, Advocate for the petitioner and of MR.C.JAYAPRAKASH, Government Counsel for R1 & R6, and MR.L.RAJASEKAR, Standing Counsel for Respondents 2 to 4 and of MR.P.K.PANEERSELVAM, Standing Counsel for the 5th Respondent the court made the following order:-

Despite the orders of this Court dated, 27.07.2021 and 12.08.2021, directing the petitioner to hand over the encroached land to an extent of 473 sq.ft., he has not complied with the same. Hence, the respondents 2 and 3 are hereby directed to take possession of the said land from the petitioner in accordance with law, within a period of four weeks.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To,

1.The Principal Secretary,
Government of Tamil Nadu,
Housing & Urban Development Department,
Fort St.George, Chennai - 600 009.

2.The Chairman,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chepauk, Chennai - 600 005.



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3.The Managing Director,
Slum Clearance Board,
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4.The Executive Engineer,
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Tamil Nadu Slum Clearance Board,
Vyasarpadi, Chennai - 600 039.

5.The Executive Engineer,
Regional Office - 1,
Chennai Metropolitan Water
Supply and Sewerage Board,
No.1, Pumping Station Road,
Chindadripet, Chennai - 600 002.

6.The Collector,
Chennai District,
Singaravelar Maaligai,
Rajaji Salai, Chennai - 600001.

+lcc to Mr.A.M.Packianathan Easter, Advocate Sr.46715
+lcc to M/s.M.Raja Sekhar, Advocate Sr.46377

Dated :13/09/2021

Order

in
WP.14235/2021

Giving directions etc
as stated within.

SVI CO
A.SK(17.09.2021)