

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2021

CORAM :

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

W.P.No.11913 of 2020

and WMP.No.14636 of 2020

Kudiurimaialar Nala Sangam
Rep by its President M.Rajamani
S/o.K.Mariappan (Late)
No.38/E, Old No.632, Naickar Thottam
Thondamuthur Road
Pusaripalayam
Coimbatore - 641 003. ... Petitioner

Vs.

- 1.The District Collector
No.7/1, State Bank Road
Gopalapuram,
Coimbatore District
Coimbatore - 641 018.
- 2.The Commissioner
Coimbatore City Municipal Corporation
Big Bazaar Street,
Town Hall
Coimbatore-641 001
- 3.The Government of India
National Commission for Scheduled Castes
"Shastri Bhavan"
Block No.V, II Floor
No.6, Haddows Road, Nungambakkam
Chennai - 600 006.
- 4.The Executive Engineer
Tamil Nadu Slum Clearance Board
Selvapuram
Coimbatore - 641 026. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents No.1 and 2 to consider the petitioner's representation dated 23.06.2020 requesting for issuance of

patta to the people who are residing in the Poramboke land which is in Naickar Thottam, Thondamuthur Road, Pusaripalayam, Coimbatore - 641 003 situated adjacent to the banks of the Selvambathi Lake.

For Petitioner : Mr.R.Shanmugam

For Respondents : Mr.E.Balamurugan
Special Government Pleader [R1]
Mr.S.Saravanan [R2]
Mr.P.Ayyasamy [R3]

ORDER

The petitioner is an association who claims that their members constitute around 200 families, of whom, few are in residing in a block of land in Naicker Thottam and another 100 families are residing in Om Shakthi Nagar and most of them belonged to social and economic weaker section of the Society. They are in occupation and cultivating the lands for several decades now. Fearing that the members of the petitioner-association being threatened with forcible eviction, the petitioner has preferred a representation dated 23.06.2020 to the respondents 1 and 2 for assignment of the property, which is now in occupation of the members of the petitioner-association.

2. Heard Mr.R.Shanmugam, the learned counsel for the petitioner and Mr.E.Balamurugan, learned Special Government Pleader for the respondents 1 and 2. The learned Special Government Pleader submitted that vide communication dated 11.01.2021, the District Revenue Officer, Coimbatore has informed that the property in occupation of the members of the petitioner-association is a water-body and their prayer for assignment has already been rejected. The said statement is recorded.

3. In view of the above submission, nothing survives for adjudication in this petition any longer. Hence, this writ petition is closed. If however the respondents seek eviction of the members of the petitioner-association, they are required to follow the strict provisions of law for the said purpose. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ds

To:

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Tamil Nadu Slum Clearance Board
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Coimbatore - 641 026.

+2cc to Mr.S. SARAVANAN, Advocate, S.R.No.2259, 2969
+1cc to Mr.P. AYYASWAMY, Advocate, S.R.No.3125
+1cc to the Government Pleader, S.R.No.2757

SSV(CO)
SM/22/02/2021

W.P.No.11913 of 2020

सत्यमेव जयते

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