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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 24.09.2021

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
AND
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.Nos.20056, 20058, 20060, 20062 and 20063 of 2021
AND

W.M.P.Nos.21308, 21311, 21312, 21316 and 21317 of 2021

Rathana	... Petitioner
	in W.P.No.20056 of 2021
Natrayan	... Petitioner
	in W.P.No.20058 of 2021
Nagendran	... Petitioner
	in W.P.No.20060 of 2021
Salamuthu	... Petitioner
	in W.P.No.20062 of 2021
N.R.Nataraj	... Petitioner
	in W.P.No.20063 of 2021

-vs-

1.The District Collector
Erode District.

2.The Assistant Commissioner (P)
Zone-IV
Erode Corporation
Erode District.

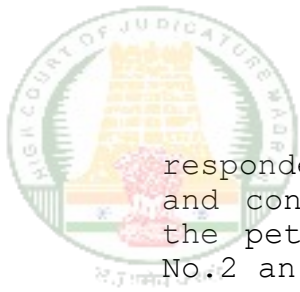
... Respondents
in all the W.P's.

PRAYER in W.P.No.20056 of 2021:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 2nd respondent in E1/382/2020 dated 06.08.2021, quashing the same and consequently directing the 1st respondent to issue patta to the petitioner in Ward No.58 Kuyilanthoppu, 3rd street, D Block No.2 an extent (9.90 metre x 4.60 metre) of 45.54 sq.metre.

PRAYER in W.P.No.20058 of 2021:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 2nd



respondent in E1/382/2020 dated 06.08.2021, quashing the same and consequently directing the 1st respondent to issue patta to the petitioner in Ward No.58 Kuyilanthoppu, 3rd street, D Block No.2 an extent (3.80 metre x 7.90 metre) of 323 sq.metre.

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PRAYER in W.P.No.20060 of 2021:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 2nd respondent in E1/382/2020 dated 06.08.2021, quashing the same and consequently directing the 1st respondent to issue patta to the petitioner in Ward No.58 Kuyilanthoppu, 3rd street, D Block No.2 an extent (5.70 metre x 3.80 metre) of 21.66 sq.metre.

PRAYER in W.P.No.20062 of 2021:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 2nd respondent in E1/382/2020 dated 06.08.2021, quashing the same and consequently directing the 1st respondent to issue patta to the petitioner in Ward No.58 Kuyilanthoppu, 3rd street, D Block No.2 an extent (3.40 metre x 4.80 metre) of 16.32 sq.metre.

PRAYER in W.P.No.20063 of 2021:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 2nd respondent in E1/382/2020 dated 06.08.2021, quashing the same and consequently directing the 1st respondent to issue patta to the petitioner in Ward No.58 Kuyilanthoppu, 3rd street, D Block No.2 an extent (6.50 metre x 3.20 metre) of 20.8 sq.metre.
In all the W.P's.:

For petitioner : Mr.N.Chinnaraj

For respondents: Mr.T.N.C.Kaushik

Government Counsel for R1

Mr.M.Rajamathivanan for R2

Standing Counsel for Erode Corporation

COMMON ORDER

(Order of the Court was made by K.KALYANASUNDARAM, J.,)

These Writ Petitions have been filed to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 2nd respondent in E1/382/2020 dated 06.08.2021, quash the same and consequently direct the 1st respondent to issue patta to the petitioner in Ward No.58



Kuyilanthoppu, 3rd street, D Block No.2 as per the individual extent of the petitioners property.

2.It appears that the impugned notice has been issued in pursuance to the direction issued by this Court dated 02.02.2021 in W.P.No.4822 of 2020, wherein this Court directed the official respondents therein, to remove the encroachment of public road/public street by following due process of law and also by adhering to the principles of natural justice and shall complete the entire exercise within a period of 12 weeks.

3.The writ petitions have been filed mainly contending that without putting the petitioners on notice and due enquiry, the order impugned in these writ petitions has been passed.

4.In the light of the above facts and circumstances, Mr.Rajamathivanan, learned Standing Counsel appearing for the 2nd respondent, on instructions, would state that the 2nd respondent has decided to withdraw the notice, which is impugned in these writ petitions and take action in accordance with law.

5.In view of the submissions made by the learned Standing Counsel, the Writ Petitions are closed. The 2nd respondent shall scrupulously follow the directions issued in W.P.No.4822 of 2020 dated 02.02.2021, before removal of encroachment in the place in dispute. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Jer Sub Assistant Registrar

To

1. The District Collector, Erode District.
2. The Assistant Commissioner(P)
Zone-IV
Erode Corporation, Erode District.

+1cc to the Government Pleader, S.R.No.50110

W.P.Nos.20056, 20058, 20060, 20062 and 20063 of 2021 &
W.M.P.Nos.21308, 21311, 21312, 21316 and 21317 of 2021

SRA(CO)
PM/28/10/2021