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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 07.12.2021

CORAM:

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

W.P. No.22145 of 2021
and
WMP.No.23377 of 2021

1. Rambabu
2. Ebenezer Prasad
3. Jayalakshmi
4. Austin Job
5. Remus
6. S.John Ravindran
7. P.K.Sivakumar
8. Arumugam
9. Sivamuthu
- 10.Vajitha Inayath

.. Petitioners

Versus

- 1.State of Tamil Nadu,
Rep. by its Principal Secretary,
Revenue Department,
Fort St. George,
Chennai 600 009.
- 2.The District Collector,
Office of the District Collector,
Kancheepuram District,
Kancheepuram.
- 3.The District Revenue Officer,
Office of the District Revenue Officer,
Kancheepuram District,
Kancheepuram.
- 4.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Kundrathur,
Kancheepuram District.



5.The Tahsildar,
Kundrathur Taluk,
Kundrathur,
Kancheepuram District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the second respondent to consider and dispose of the petitioner's representation dated 02.08.2021.

For petitioners : Mr.S.Gopi

For respondents : Mr.K.V.Sajeev Kumar

ORDER

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

The Writ Petition is heard through video conferencing.

2. This Writ Petition has been filed for issuance of a Writ of Mandamus directing the second respondent to consider the representation of the petitioner dated 02.08.2021.

3. Heard Mr.S.Gopi, learned counsel for the petitioners and Mr.K.V.Sajeev Kumar, learned Special Government Pleader appearing for the respondents.

4. It appears that the petitioners have occupied the land in Survey No.1032 at Manimangalam Village, Kundrathur Taluk, which has been classified as grazing land. The fifth respondent initiated proceedings to remove the encroachment and an order under Section 6 of the Tamil Nadu Land Encroachment Act came to be passed on 26.07.2021, directing the petitioners to remove the encroachment. Instead of preferring individual appeal, a common representation was sent to the second respondent challenging the order passed under Section 6 of the Act.

5. The learned Special Government Pleader appearing for the respondents submitted that if separate appeals are filed by the encroachers, the respondent is ready to consider the same.

6. Since the present Writ Petition has been filed based on the common representation given by the petitioners, we are not inclined to entertain the petition. Hence, we direct the petitioners to file separate appeals against the order of the fifth respondent, if they are so advised. If the petitioners prefer individual/separate appeals, the second respondent shall



consider the same and pass orders in accordance with law, after affording ample opportunity to the necessary parties. Accordingly, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

pvs

To

- 1.The Principal Secretary,
State of Tamil Nadu,
Revenue Department,
Fort St. George,
Chennai 600 009.
- 2.The District Collector,
Office of the District Collector,
Kancheepuram District,
Kancheepuram.
- 3.The District Revenue Officer,
Office of the District Revenue Officer,
Kancheepuram District,
Kancheepuram.
- 4.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Kundrathur, Kancheepuram District.
- 5.The Tahsildar,
Kundrathur Taluk,
Kundrathur, Kancheepuram District.

+1cc to Mr.S.Gopi, Advocate, S.R.No.64293

W.P. No.22145 of 2021

NR[co]
NSK 10/01/2022