



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**

AND

THE HONOURABLE MRS.JUSTICE **S.ANANTHI**

W.P. (MD) No.1351 of 2021

and

W.M.P. (MD) No.1138 of 2021

- 1.P.Kumar
- 2.M.Kalimuthu
- 3.P.Sevugan
- 4.V.Krishnan
- 5.M.Azhagar
- 6.K.Ravichandran
- 7.M.Mari
- 8.V.Kumar
- 9.M.Kalidoss
- 10.E.Pothumponnu
- 11.N.Shanthi
- 12.M.Selvaraju
- 13.K.Mari
- 14.V.Amutha
- 15.K.Selvakumar
- 16.V.Kali
- 17.V.Packiyam
- 18.V.Devaraju
- 19.K.Azhagi



20.J.Daicy

21.V.Rajini

22.P.Chellammal

23.R.Karthick

24.M.Karthi

25.K.Ranjitham

26.A.Packiyam

27.Sigappi

28.D.Kanniga

29.A.Nallathambi

: Petitioners

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
Revenue Department,
St. George Fort,
Chennai.

2.The Special Commissioner and
Commissioner of Land Administration,
Government of Tamil Nadu,
Elizhagam,
Cheppakkam,
Chennai - 600 005.

3.The District Collector,
O/o. District Collectorate,
Sivagangai District.

4.The Tahsildar,
Ilayankudi Taluk,
Sivagangai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents 3 & 4 not to evict the petitioners from their dwelling houses situated in S.No.54/4 part at Mathavanagar @ Bharathinagar, Melathuraiyur Group, Ilayankudi Taluk, Sivagangai District, without following the due process of law and consequently, direct the respondent no.3 to provide the free house site patta to the petitioners within a stipulated time frame.



For Petitioners : Mr.T.Lajapathi Roy
For Respondents : Mr.R.Murugaraj,
Government Advocate

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ORDER

(Order of the Court was made by **M.M.SUNDRESH, J.**)

The petitioners herein belong to Scheduled Caste Community. Admittedly, they have put up construction over the Government land. On an earlier occasion, the petitioners sought for issuance of patta. It is submitted before this Court by both the learned Counsel for the petitioners and the learned Government Advocate that as against the order passed by this Court, issuing a positive direction to the respondents to issue patta, a Special Leave Petition has been filed and the matter is still pending considering before the Hon'ble Apex Court.

2. The grievance of the petitioners in this writ petition appears to be with the proposed eviction at the hands of the respondents.

3. The learned Counsel for the petitioners submitted that under these circumstances, the petitioners shall not be evicted except by following the due process of law.

4. Inasmuch as the petitioners are in possession and occupation of the Government lands, over which, they have also put up some construction, a direction is issued to the respondents 3 & 4 not to evict the petitioners except by following due process of law.

5. With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gk



To

1.The Secretary to Government,
State of Tamil Nadu,
Revenue Department,
St. George Fort, Chennai.

2.The Special Commissioner and
Commissioner of Land Administration,
Government of Tamil Nadu,
Elizhagam, Cheppakkam,
Chennai - 600 005.

3.The District Collector,
O/o. District Collectorate,
Sivagangai District.

4.The Tahsildar,
Ilayankudi Taluk,
Sivagangai District.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-2923[F] dated 02/02/2021

+1 CC to M/s.GP (SR-2617[F] dated 01/02/2021)

W.P. (MD) No.1351 of 2021

and

W.M.P. (MD) No.1138 of 2021

29.01.2021

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