



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]Nos.10417, 10419, 10420,
10423 and 10424 of 2021

and

W.M.P.[MD]No.8103 of 2021

Dhanalakshmi ... Petitioner in WP(MD).No.10417 of 2021
Kulandai, ... Petitioner(s) in WP(MD). 10419/ 2021
Anthoniammal ... Petitioner(s) in WP(MD). 10420/ 2021
Krithina Jenifer ... Petitioner(s) in WP(MD). 10423/ 2021
Nirmala ... Petitioner(s) in WP(MD). 10424/ 2021

Vs.

- 1.The District Collector,
Office of the District Collector,
Dindigul, Dindigul District.
- 2.The Thasildar,
Office of the Thasildar,
Vedasandur Taluk,
Dindigul District.
- 3.The Block Development Officer,
Office of the Block Development Officer,
Vedasandur, Dindigul District. ... Respondents in all WP's

COMMON PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records connected with impugned encroachment eviction notice in Na.Ka.No.887/2020/Aa6, dated 11.05.2021 on the file of the third respondent and quash the same as illegal and consequently to direct the respondents to provide patta in petitioner's name in Dindigul District, Vedasandur Taluk, Malvarpatti Village Survey No.198 by considering the petitioner's representation, dated 20.05.2021 in accordance with law within the time stipulated by this Court.



For Petitioner : Mr.R.Rajaselvan
For Respondents : Mr.R.Baskaran
Standing Counsel for Government
[In all Writ Petitions]

WEB COPY

COMMON ORDER

[Common Order of the Court was made by **T.S.SIVAGNANAM, J.**]

With the consent on either side, these Writ Petitions themselves are taken up for final disposal.

2.Heard Mr.R.Rajaselvan, learned Counsel appearing for the petitioners and Mr.R.Baskaran, learned Standing Counsel for Government appearing for the respondents.

3.The petitioners have filed these writ petitions challenging the notice issued by the respondent dated 11.05.2021, directing the petitioners to remove the encroachments. The petitioners have sent their objections dated 20.05.2021 by speed post. The petitioners in their objections have stated that similarly placed persons have been granted patta under the one time scheme and one Lourdhusamy, who had filed W.P.[MD]No.5478 of 2020, alleging that the petitioners are encroachers is also one of the beneficiaries of the free patta scheme, which was a one time measure.

4.In any event, the petitioners have given their objections. Therefore, without considering the same, the authorities should not vacate them summarily. Even in the earlier litigation, a direction was issued only to consider the representation in accordance with law after putting the alleged encroachers on notice and there was no positive direction issued for demolition or eviction. Therefore, the authorities should consider the objections dated 20.05.2021 and after affording reasonable opportunity, should consider the same and take appropriate action in accordance with law. Until then, the *status quo* which is prevailing shall be continued.

5.With the above observation, the Writ Petitions stand disposed of. However, there shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

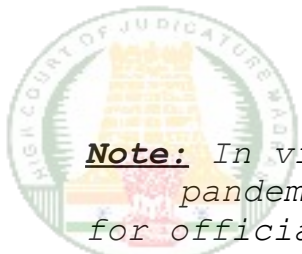
Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The District Collector,
Office of the District Collector,
Dindigul,
Dindigul District.
- 2.The Thasildar,
Office of the Thasildar,
Vedasandur Taluk,
Dindigul District.
- 3.The Block Development Officer,
Office of the Block Development Officer,
Vedasandur,
Dindigul District.

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KB(01.07.2021) 3P 4C