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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2022

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN
AND
THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

W.P. NO. 796 OF 2022
AND
W.M.P. NOS. 872 & 874 OF 2022

1. Pattusamy
2. Vanitha
3. Poongodi
4. Amalraj

.. Petitioners

Versus

1. The District Collector
Tiruppur District
Tiruppur
2. The Revenue Divisional Officer
Tiruppur
Tiruppur District
3. The Tahsildar
Tiruppur North Taluk
Tiruppur District
4. Muthusamy

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondent Nos.1 to 3 to consider the representation dated 05.08.2021 forbearing any revenue officials or any person any authority from evicting the petitioner from their permanent house without due process of law.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr. VPR. Elamparithi for R1 to R3
Additional Government Pleader



ORDER

(Order was made by R. MAHADEVAN. J,)

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Mr.V.P.R. Elamparithi, learned Additional Government Pleader takes notice for respondents Nos. 1 to 3. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The petitioners claim to be hut dwellers of Pethichettypuram for more than five decades. While so, under the guise and the instigation of the fourth respondent, the revenue officials came and directed the petitioners and other people to vacate their premises, without any notice for them. Feeling aggrieved, the petitioners submitted a representation dated 05.08.2021 to the second respondent requestig to recognise their continuous and uninterrupted possession for more than five decades and not to infringe their living rights, except under due process of law and the said representation is pending. Apprehending eviction action, they have come up with this writ petitiob, seeking a mandamus to the respondent authorities to consider their representation datec 05.08.2021 and forbear the revenue officials from evicting them without due process of law.

3. Heard the learned counsel for the petitioner, who submitted that without issuing any notice as required under law, the respondent authorities insisted that petitioners to vacate the premises and hence, appropriate direction would be issued to them, to safeguard the interest of the petitioner's long, continuous and uninterrupted possession.

4. On the other hand, the learned Additional Government Pleader taking notice for the respondents fairly submitted that respondent authorities would consider the representation of the petitioners, on merits, within a time frame to be stipulated by this Court. He further submitted that till the disposal of the said representation of the petitioners, no coercive steps will be taken by the respondent authorities.

5. Recording the submissions so made by the learned Additional Government Pleader appearing for the respondents, this court directs the second respondent to consider the petitioners' representation dated 05.08.2021 and pass appropriate orders, on merits and in accordance with law, after providing due opportunity of hearing to the petitioners, fourth



respondent as well as any other interested parties, within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

dhk

To

1. The District Collector
Tiruppur District
Tiruppur
2. The Revenue Divisional Officer
Tiruppur
Tiruppur District
3. The Tahsildar
Tiruppur North Taluk
Tiruppur District

+lcc to Mr.R.Sankarasubbu, Advocate, S.R.No.4896

W.P. No. 796 of 2022

KJ(CO)
PM/18/02/2022