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W.P.Nos.35816 & 35817 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.Nos.35816 & 35817 of 2015 &

M.P.Nos.1 & 1 of 2015

J.Jenitta
Flat No.C-1, No.131, K.S.Foundation,
Anna High Road, Gill Nagar Extension,
Chennai – 600 094.
Rep. by her Power of Attorney Agent
N.Varatharajan,
No.15, Colony 3rd Street, Adambakkam,
Chennai – 600 088.

... Petitioner in
W.P.No.35816 of 2015

J.Jenitta
Flat No.C-1, No.131, K.S.Foundation,
Anna High Road, Gill Nagar Extension,
Chennai – 600 094.
Rep. by her Power of Attorney Agent
C.Siranjeevi,
No.3935, Anna Nagar, Kovilabakkam,
Chennai – 600 117.

... Petitioner in
W.P.No.35817 of 2015

Vs

1. State of Tamilnadu
Rep. by its Secretary to Government,
PWD Department, Fort St. George,
Chennai – 600 009.



W.P.Nos.35816 & 35817 of 2015

2. The Executive Engineer Public Works Department,
Pattapai, Kancheepuram District.
Karur.

3. The Commissioner,
Pallavaram Municipality, 3rd Main Road,
New Colony, Chrompet, Chennai – 600 044.

... Respondents in
both WPs

Prayer:- Writ Petitions filed, under the Article 226 of Constitution of India, to issue a Writ of Mandamus forbearing the respondents, their men, agents, subordinates or any others claiming through them from in any manner dispossessing or evicting the petitioner from the property situated in Kizhkattalai Village [Madipakkam – II Village] Rajaram Nagar, Plot No.8 and 7-A respectively, Comprised in Survey No.305/9 and 305/20 at measuring 2400 and 1219 Sq.ft. respectively in Tambaram Taluk Kancheepuram District without any due process of law.

For Petitioner : No appearance
[both WPs.]

For Respondents : Mr.P.Sathish,
[both WPs.] Additional Government Pleader – R1

Mr.C.Selvaraj – R2

Mr.P.Srinivas – R3



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COMMO ORDER

These Writ Petitions have been filed to forbear the respondents and their men from in any manner dispossessing or evicting the petitioner from his property without any due process of law.

2. When the matter is taken up today, there is no representation for the petitioner.

3. The case of the petitioner is that the second and third respondents orally informed the petitioner that they are going to demolish the structure and dispossess the property belonging to the petitioner without any due process of law.

4. Whereas the learned counsel for the second and third respondents submitted that as of today, there is no proposal to dispossess the petitioner from his property.



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5. In such view of the matter, recording the submissions of the learned counsel appearing for the second and third respondents, these Writ Petitions are dismissed. In the event, if there is any encroachment, the respondent is at liberty to follow due process of law. Consequently, connected miscellaneous petitions are closed. No costs.

26.10.2022

vrc

Index:Yes/No

Web:Yes/No

Speaking/Non Speaking

To,

1. The Secretary to Government,
PWD Department, Fort St. George,
Chennai – 600 009.
2. The Executive Engineer Public Works Department,
Pattapai, Kancheepuram District.
Karur.
3. The Commissioner,
Pallavaram Municipality, 3rd Main Road,
New Colony, Chrompet, Chennai – 600 044.



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N.SATHISH KUMAR, J.

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