



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 02.06.2022

CORAM:

THE HON'BLE MR.JUSTICE M.S.RAMESH
AND
THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.NOS.13896 AND 13906 OF 2022

L.Nagaraj ...Petitioner in W.P.No.13896/22
Ellammal ...Petitioner in W.P.No.13906/22

Vs.

- 1.The District Collector
Chengalpattu District
Chengalpattu
- 2.The District Revenue Officer
Chengalpattu District
Chengalpattu
- 3.The Revenue Divisional Officer
Chengalpattu
Chengalpattu District
- 4.The Tahsildhar
Chengalpattu Taluk
Chengalpattu District.
- 5.The Revenue Inspecor
Kattankolathur Firka
Chengalpattu Taluk
Chengalpattu District.
- 6.The Village Administrative Officer
Ninnakarai Village
Chengalpattu Taluk
Chengalpattu District.

...Respondent in all WPs

Prayer in Common : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to follow the procedures which is contemplated under the Tamil Nadu Land Encroachment Act, 1905 in respect of removal of the petitioner's property situate in S.No.377/1B of Ninnakarai Village, Situate at Door No.1, 12th



Street, Rajiv Gandhi Nagar, Kattankolathur, Ninnakarai Village,
Chengalpattu Taluk, Chengalpattu District.

WEB COPY

For Petitioner
in all WPs : Mr.S.Shankar

For Respondents : Mr.J.Ravindran
in all WPs : Additional Advocate General
Assisted by
Mr.A.Selvendran
Special Government Pleader
for respondents 1 to 6

COMMON ORDER
(Order was made by M.S.Ramesh,J)

On the mere apprehension that the respondents would not adhere to the procedure contemplated under the Tamil Nadu Land Encroachment Act, 1905 before initiating eviction proceedings, the present writ petition has been filed.

2. It is needless to point out that if at all the respondents are of the view that the petitioners are encroachers and need to be evicted, there is a duty cast on them to follow the procedure contemplated under the provision of the Tamil Nadu Land Encroachment Act, 1905. In other words, there cannot be any coercive move of eviction.

3. In this background, if the respondents intend to evict the petitioners, they are required to follow the procedure contemplated under the Tamil Nadu Land Encroachment Act, 1905.

4. With these observations, the writ petitions stands closed. Consequently, WMP Nos.13166 and 13158 of 2022 are also closed. There will be no order as to costs.

Sd/-
Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

kpl/drm

To

1.The District Collector
Changalpattu District
Chengalpattu



2.The District Revenue Officer
Chengalpattu District
Chengalpattu

3.The Revenue Divisional Officer
Chengalpattu
Chengalpattu District

4.The Tahsildhar
Chengalpattu Taluk
Chengalpattu District.

5.The Revenue Inspecor
Kattankolathur Firka
Chengalpattu Taluk
Chengalpattu District.

6.The Village Administrative Officer
Ninnakarai Village
Chengalpattu District.

+1cc to the State Government Pleader Sr.No.32072, 32073

+2ccs to Mr.S.Shankar, Advocate Sr.No.32036, 32037

W.P.Nos.13896 and 13906 of 2022

RLD(CO)
RVM(15/06/2022)