



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Tuesday, the Twenty Ninth day of November Two Thousand and Twenty
Two

PRESENT

The Hon`ble Mr.Justice R.MAHADEVAN

AND

The Hon`ble Mr.Justice J.SATHYA NARAYANA PRASAD

WMP(MD) No.10745, 10746, 10735, 10739 & 10701 of 2021

IN

WP(MD) Nos.9466, 9469, 9470, 9471, 11424 of 2021

THE TAHSILDAR,
KAYATHAR TALUK OFFICE,
THOOTHUKUDI DISTRICT.

... PETITIONER/3RD RESPONDENT
/3RD RESPONDENT
IN ALL WMP'S

Vs

1 BABU

... 1ST RESPONDENT/PETITIONER/PETITIONER
IN WMP(MD).10745/2021 IN WP(MD).9466/2021

1 S.CHELLA DURAI

... 1ST RESPONDENT/PETITIONER/PETITIONER
IN WMP(MD).10746/2021 IN WP(MD).9469/2021

1 S.GANAPATHY

... 1ST RESPONDENT/PETITIONER/PETITIONER
IN WMP(MD).10735/2021 IN WP(MD).9470/2021

1 ARUMUGAM

... 1ST RESPONDENT/PETITIONER/PETITIONER
IN WMP(MD).10739/2021 IN WP(MD).9471/2021

2 THE DISTRICT COLLECTOR
COLLECTORATE, THOOTHUKUDI DISTRICT.

3 THE REVENUE DIVISIONAL OFFICER,
O/O.REVENUE DIVISIONAL OFFICE,
KOVILPATTI DIVISION,
THOOTHUKUDI DISTRICT.

4 THE PRESIDENT
KALAPPAIPATTI PANCHAYAT,
KAYATHAR TALUK,
THOOTHUKUDI DISTRICT.

... RESPONDENTS NO.2,3 & 4/
RESPONDENTS NO.1,2 & 4/
RESPONDENTS NO.1,2 & 4
IN WMP(MD).10745,10746,10735,10739/2021
IN WP(MD).9466,9469,9470,9471/2021



1 G.RAMACHANDRAN

... 1ST RESPONDENT/PETITIONER/PE'
IN WMP(MD).10701/2022 IN WP(MD).11424/2021

2 THE REVENUE DIVISIONAL OFFICER,
O/O.REVENUE DIVISIONAL OFFICE,
KOVILPATTI DIVISION,
THOOTHUKUDI DISTRICT.

3 THE PRESIDENT
KALAPPAIPATTI PANCHAYAT,
KAYATHAR TALUK,
THOOTHUKUDI DISTRICT.

4 THE INSPECTOR OF POLICE,
PULIYAMPATTI POLICE STATION,
NAARAIKINARU POST,
OTTAPIDARAM TALUK,
THOOTHUKUDI DISTRICT.

5 THE SUB INSPECTOR OF POLICE,
NAARAIKINARU POLICE STATION,
NAARAIKINARU POST,
OTTAPIDARAM TALUK,
THOOTHUKUDI DISTRICT.

... RESPONDENTS NO.2 TO 6/
RESPONDENTS NO.1 TO 5/
RESPONDENTS NO.1 TO 5

IN WMP(MD).10701/2022 IN WP(MD).11424/2021

Prayer in WMP(MD).10745/2021 in WP(MD).9466/2021 :

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to vacate the interim stay order granted in W.M.P.(MD).No.7191 of 2021 in W.P.(MD).No.9466 of 2021 dated 12.05.2021.

Prayer in WMP(MD).10746/2021 in WP(MD).9469/2021 :

To vacate the interim stay order granted in W.M.P.(MD).No.7195 of 2021 in W.P.(MD).No.9469 of 2021 dated 12.05.2021.

Prayer in WMP(MD).10735/2021 in WP(MD).9470/2021 :

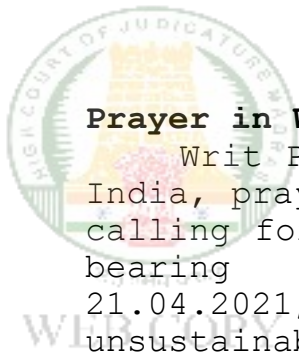
To vacate the interim stay order granted in W.M.P.(MD).No.7196 of 2021 in W.P.(MD).No.9470 of 2021 dated 12.05.2021.

Prayer in WMP(MD).10739/2021 in WP(MD).9471/2021 :

To vacate the interim stay order granted in W.M.P.(MD).No.7197 of 2021 in W.P.(MD).No.9471 of 2021 dated 12.05.2021.

Prayer in WMP(MD).10701/2021 in WP(MD).11424/2021 :

To vacate the interim stay order granted in W.M.P.(MD).No.8927 & 8929 of 2021 in W.P.(MD).No.11424 of 2021 dated 09.07.2021.

**Prayer in WP(MD)No.9466/2021 :**

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records of the 3rd respondent under his proceedings bearing number Na.Ka.No.Aa1/479/20 [ந.க.எண்.ஆ1/479/20] dated 21.04.2021, declared as illegal, ultra virus, without jurisdiction, unsustainable, through which he has ordered the petitioner to vacate from the land measuring 12 cents comprised in Natham S.No.453/17 in Kalappaipatti Village, Kayathar Taluk, Thoothukudi District and consequently forbearing the respondents from evicting the petitioner from the said property.

Prayer in WP(MD)No.9469/2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue the Writ of Certiorarified Mandamus calling for the records of the 3rd respondent under his proceedings bearing number Na.Ka.No.Aa1/479/20 [ந.க.எண்.ஆ1/479/20] dated 21.04.2021, declared as illegal, ultra virus, without jurisdiction, unsustainable, through which he has ordered the petitioner to vacate from the land measuring 00216 Sq.mt. Comprised in Natham S.No.453/17 and measuring 00066 Sq.mt. comprised in Natham S.No. 452, in Kalappaipatti Village, Kayathar Taluk, Thoothukudi District and consequently forbearing the respondents from evicting the petitioner from the said property.

Prayer in WP(MD)No.9470/2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records of the 3rd respondent under his proceedings bearing number Na.Ka.No.Aa1/479/20 [ந.க.எண்.ஆ1/479/20] dated 21.04.2021, declared as illegal, ultra virus, without jurisdiction, unsustainable, through which he has ordered the petitioner to vacate from the land measuring 00252 Sq.Mt. comprised in Natham S.No.453/17 in Kalappaipatti Village, Kayathar Taluk, Thoothukudi District and consequently forbearing the respondents from evicting the petitioner from the said property.

Prayer in WP(MD)No.9471/2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records of the 3rd respondent under his proceedings bearing number Na.Ka.No.Aa1/479/20 [ந.க.எண்.ஆ1/479/20] dated 21.04.2021, declared as illegal, ultra virus, without jurisdiction, unsustainable, through which he has ordered the petitioner to vacate from the land measuring 13.64 cents comprised in Natham S.No.457/34 in Kalappaipatti Village, Kayathar Taluk, Thoothukudi District and consequently forbearing the respondents from evicting the petitioner from the said property.

**Prayer in WP(MD). 11424/ 2021 :**

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent under his proceedings bearing number Na.Ka.No.Aa1/479/20 dated 21.04.2021 declared as illegal, ultra virus, without jurisdiction, unsustainable through which he has ordered the petitioner to vacate from the land measuring about 18 cents out of total extent 12 acre 2 cents in Old Survey No. 134/8-New Survey No. 461/2 situated at Kalppaipatti Village, Kayathar Taluk (then Ottapidaram Taluk), Thoothukudi District and consequently forbearing the respondents from evicting the petitioner from the said property.

COMMON ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.P.THILAK KUMAR, GOVERNMENT PLEADER, Advocate for the petitioner in all WMP's, the court made the following order:-

Since the date is fixed for final hearing of the main cases, these petitions for vacating the stay are closed.

sd/-

29/11/2022

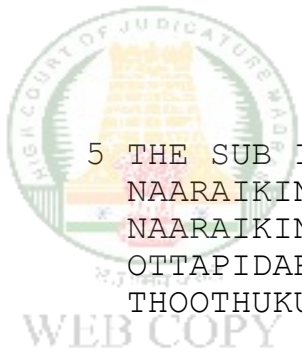
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/12/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE DISTRICT COLLECTOR,
COLLECTORATE,
THOOTHUKUDI DISTRICT.
- 2 THE REVENUE DIVISIONAL OFFICER,
O/O.REVENUE DIVISIONAL OFFICE,
KOVILPATTI DIVISION,
THOOTHUKUDI DISTRICT.
- 3 THE PRESIDENT,
KALAPPAIPATTI PANCHAYAT,
KAYATHAR TALUK,
THOOTHUKUDI DISTRICT.
- 4 THE INSPECTOR OF POLICE,
PULIYAMPATTI POLICE STATION,
NAARAIKINARU POST,
OTTAPIDARAM TALUK,
THOOTHUKUDI DISTRICT.



WMP(MD) N



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5 THE SUB INSPECTOR OF POLICE,
NAARAIKINARU POLICE STATION,
NAARAIKINARU POST,
OTTAPIDARAM TALUK,
THOOTHUKUDI DISTRICT.

ORDER IN

WMP(MD) No.10745, 10746, 10735,
10739 & 10701 of 2021

IN

WP(MD) Nos.9466, 9469, 9470, 9471,
11424 of 2021

Date :29/11/2022

myr

RS/BUC/SAR.1(13.12.2022) 5P-6C