



W.P.No.4030 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.4030 of 2020

And

W.M.P.No.4760 of 2020

- 1.G.Santhi
- 2.K.Thangavel
- 3.M.Balasubramaniyan
- 4.Vimala
- 5.Nachammal
- 6.M.Veeran
- 7.R.Perumal
- 8.Saroja
- 9.K.Rukkumani
- 10.D.Nachi

... Petitioners

Vs.

- 1.The District Collector,
Erode District,
Erode.
- 2.The Commissioner,
Erode Corporation,
Erode.
- 3.The Tahsildar
Erode,
Erode District.
- 4.Assistant Executive Engineer,
Slum Clearance Board,
Erode Municipality,
Erode.

... Respondents



W.P.No.4030 of 2020

Prayer:

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Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents not to disturb petitioners peaceful possession and evict their houses situated in Ward-E, Block 11, town survey numbers 11, 12, 13, 14 and ward E, Block 14, town survey numbers 1, 2, 3, 4 and 5 of Municipal Sathiram, Nethaji Road, Erode without following due process of law by considering the petitioner's representation dated 28.01.2020 with the time frame fixed by this Hon'ble Court.

For Petitioners : Mr.R.Sankarasubbu

For Respondents : Mr.M.Alagu Goutham for R1 & R3
Government Advocate
Mr.M.Rajamathivanan for R2
Standing Counsel
Mr.M.Babu Muthu Meeran for R4

ORDER

The petitioners have filed this writ petition seeking issuance of Writ of Mandamus directing the respondents not to disturb petitioners peaceful possession and evict their houses situated in Ward-E, Block 11, town survey numbers 11, 12, 13, 14 and ward E, Block 14, town survey numbers 1, 2, 3, 4 and 5 of Municipal Sathiram, Nethaji Road, Erode without following due process of law by considering the petitioners representation dated 28.01.2020 with the time frame fixed by this Court.



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2.The case of the petitioners is that the petitioners belong to Scheduled Caste Arunthathiyar Community and they are in occupation of the subject property for several years and have been making representation to the respondents seeking issuance of patta. Whiles, on 28.01.2020 the officials of the Erode Slum Clearance Board conducted soil test and when the petitioners enquired, they informed the petitioners that they are going to construct multistoried houses by demolishing the existing houses. Hence, this writ petition.

3.The learned counsel appearing for the fourth respondent submitted that there is no proposal for demolishing the existing houses since the said scheme was dropped due to the non co-operation of the people. Hence, the apprehension of the petitioners is mis-conceived.

4.Recording the submission made by the learned counsel appearing for the fourth respondent, this writ petition is closed. No costs. Consequently, the connected miscellaneous petition is also closed.

25.04.2023

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Speaking Order/ Non Speaking Order
Index: Yes/ No Internet: Yes/ No

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M.DHANDAPANI,J.
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To

- 1.The District Collector,
Erode District,
Erode.
- 2.The Commissioner,
Erode Corporation,
Erode.
- 3.The Tahsildar
Erode,
Erode District.
- 4.Assistant Executive Engineer,
Slum Clearance Board,
Erode Municipality,
Erode.

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