



W.P.Nos.30486 & 30487 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 20.01.2023

CORAM

**THE HON'BLE MR.JUSTICE R.MAHADEVAN
and
THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ**

W.P.Nos.30486 & 30487 of 2015

and

M.P.Nos.1 & 1 of 2015

- 1.E.Madina
- 2.P.Ammakannu
- 3.Shakthivel
- 4.N.Anbu
- 5.Mani
- 6.Krishnan
- 7.Mani
- 8.D.Ponnurangan
- 9.S.Chithra
- 10.Selvakumar
- 11.K.Panjavarnam
- 12.Janagi
- 13.Lakshmi
- 14.L.Ganga
- 15.K.Kumar



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- 16.I.Selvam
 - 17.K.Maliga
 - 18.G.Munusamy
 - 19.D.Malarkodi
 - 20.E.Kumutha
 - 21.M.Sekar
 - 22.R.Magashwari
 - 23.P.Indrani
 - 24.D.Vinayagam
 - 25.K.Sekar
 - 26.R.Ruku
 - 27.V.Darani
 - 28.A.Dhanabakiyam
 - 29.S.Mala
 - 30.M.Samburnam
 - 31.Amirtham
 - 32.V.Krishnaveni
 - 33.C.Kuppan
 - 34.S.Mumtaj
 - 35.K.Saravanan
 - 36.G.Chinnaponnu
- 2015

...Petitioners in W.P.No.30486 of

1.C.Shamshad Begum



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- 2.S.Hidhayathula
3.Shabeer Ahamed
4.Shamshudeen
5.Ahamed Basha
6.Abdul Samath
7.S.Masthan
8.H.Meera Hussain
9.Anwar Basha
10.Abdul Sardar
11.Abdul Jameel
12.Mohammed Basha
13.Kasthuri
14.Sadhik Basha
15.Ramahathulla
16.Mohammed Basha
17.Naseema
18.Saidani Bee
19.Kaleemulla
20.S.A.Ali
21.A.Ghouse Basha
22.Shainaz
23.Zamruth Bee
24.Thameem
25.Ahamed Basha



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- 26.Shamshed Begum
- 27.Abdul Majeed
- 28.Saidani Bee
- 29.S.Hameed
- 30.Anwar Basha
- 31.Khader Basha
- 32.Syeda Banu
- 33.Aysha Bee
- 34.Mohammed Basha
- 35.Fairoz
- 36.Thakir Basha
- 37.Fathima
- 38.Sadhiq Basha
- 39.Umar Basha
- 40.Mohammed Ali
- 41.Shakeela
- 42.Jameel Basha
- 43.Afzal Basha
- 44.R.Imran
- 45.Bilal Ahamed
- 46.Parveen
- 47.Mumtaj Begum
- 48.Rafeeqe Ahamed
- 49.Fayaz Ahamed



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50.Muneer Ahamed

51.Noor Jahan

52.Hameedha

53.Younus

54.Mohammed Ghouse

55.Mohammed Saifulla

56.Piyare Bee

57.Akbar Basha

58.Dawlath Bee

59.Thameema

60.Shainaz Banu

61.Abdul Shukoor

62.Rahamath Bee

63.Shahitha Banu

64.Junaid Ahamed

65.Dilshath Banu

66.Saleem Ahamed

67.Akbar Basha

68.Saiyda Banu

69.Syed Hussain

70.Abdul Malik

71.Aakila Banu

72.Abdul Khadeer

73.Zaithun Bee



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- 74.Shamshad
- 75.Haleem Basha
- 76.Kausar Banu
- 77.Ghaffar Khan
- 78.Mahboob John
- 79.Rahmath Bee
- 80.Nisar Ahamed
- 81.Banu
- 82.Mahboob Basha
- 83.Saleema Bee
- 84.Allah Bakash
- 85.Aameena Bee
- 86.Syedani Bee
- 87.Jameel Basha
- 88.Basha
- 89.Zubaida Bee
- 90.Ahamed Basha
- 91.Babulal
- 92.Abubakkar Sidique
- 93.Farooque
- 94.Fazlur Rahman
- 95.Khamrunisa
- 96.Noorunisa
- 97.Chan Basha



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98.Iqbal

99.Sajida Banu

100.Mumtaj Begum

101.Kareema Bee

102.Mahboob Basha

103.Fathiam Bee

104.Zarina

105.Abdul Settu

106.Thajun Nisa

107.Abdul Khurshid

108.Azeezunisa

109.Syed Khadar

110. Sirajunisa

111.Khamrunisa

112.S.Anwar Basha

113.Abdul Samath

114.Khadar Basha

115.Samiulla

116.Shafiulla

117.Sadhique Basha

118.Shake Karim

119.Noorma Bee

120.Jaffer

121.Abdul Rahman



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122.Kaleemulla

123.Shakeela Banu

124.T.Saleem Basha

125.Mehrunisa

126.Noor Mohammed

127.Chan Basha

128.Ghouse Bee

129.Ahamed Sharif

130.Shabeer Ahamed

131.Thaira

132.Babu

133.Akram Basha

134.Razia

135.Niyamathulla

136.S.Hajira

137.Mohammed Umar

138.Thanveer Ahamed

139.Maimunnisa

140.Thaira Begum

141.Sadhulla

142.Akbar Basha

143.Shakira Banu

144.Nisar Ahamed

145.Kaleemulla



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146.Bilal Ahamed

147.Rizwana

148.Ubaidhulla

149.Haleem Basha

150.Sabira

151.Hameed Basha

152.Hameed Basha

153.Settu

154.Hameed Basha

155.Muneer Ahamed

156.Habeebunisa

157.Mubeena Banu

158.Abdul Azeez

159.Mushtaque Ahamed

160.Kalamulla

161.Noorulla

162.Rameeza Bee

163.Fareedha Begum

164.Khamrunisa

165.Khadar Basha

166.Chan Basha

167.Khudrathunisa

168.Lakshmi

169.Parveen



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170.Meharaj

171.Zaffrullah

172.Babu

173.Jani Basha

174.Noor Mohammed

...Petitioners in W.P.No.30487 of

2015

Vs

1.The District Collector,
Vellore District,
Vellore.

2.The Tahsildar,
Wallajah Taluk,
Vellore District.

3.The Commissioner,
Melvisaram Municipality,
Melvisaram,
Vellore District.

4.The Assistant Engineer,
Public Works Department,
Water Resources Organisation (WRO),
Palaru Dam Section,
Ranipettai,
Vellore District.

... Respondents in both the Writ Petitions

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to consider the representation of the petitioners dated



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09.09.2015 to the respondents as per Section 12 of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 in accordance with law and consequently forbearing the respondents from disturbing or evicting the petitioners from Survey Nos.354, 354/1, 8/1 and 31, M.G.R.Nagar, Melvisaram Village, Walajah Taluk, Vellore District and from Survey No.354 and 354/1, Sadiquebasha Nagar, Melvisaram Village, Walajah Taluk, Vellore District pending disposal of the representation.

For Petitioners : Mr.R.Shivakumar.

For Respondents : Mr.A.Selvendran, Additional Government
Pleader.

COMMON ORDER

[Order of the Court was made by R.MAHADEVAN,J,]

Both the writ petitions have been filed for mandamus, directing the respondents to consider the representation of the petitioners dated 09.09.2015 with regard to provide alternate arrangement, as per section 12 of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 and consequently, forbearing the respondents from disturbing or evicting the petitioners from S.Nos.354, 354/1, 8/1 and 31, MGR Nagar, Melvisaram Village, Walajah Taluk, Vellore District, till the disposal of the



said representation.

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2.Today, when the matters were taken up for consideration, the learned Additional Government Pleader appearing for the respondent authorities submitted that the petitioners have been residing in the subject properties by encroaching the water channel. The learned counsel further submitted that as per the order dated 01.08.2022 passed in WP.No.18109 of 2018, action has been taken and the encroachment in S.No.354 of Melvisaram Village has also been removed. In support of the same, he has produced a copy of the order, the relevant portion of which, is extracted below:

"3.We have gone through the compliance report and especially the photographs. We find that action has been taken to remove the encroachments, though in respect of some buildings demolition has been carried out completely, in respect of few buildings only the front portion has been demolished.

4.In view of the above, no further listing of this matter is required. However, we direct that in respect of the buildings where only the front portion has been demolished, the entire demolition would be completed within a period of two weeks, if it has not already been demolished."

Stating so, the learned counsel submitted that nothing survives for further adjudication in these writ petitions.



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WEB COPY 3.Recording the above, both the writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

(R.M.D.,J.) (M.S.Q.,J.)
20.01.2023

ay/nsd

Index:Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No

Copy To

1.The District Collector,
Vellore District,
Vellore.

2.The Tahsildar,
Wallajah Taluk,
Vellore District.

3.The Commissioner,
Melvisaram Municipality,
Melvisaram,
Vellore District.

4.The Assistant Engineer,
Public Works Department,
Water Resources Organisation (WRO),



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Palaru Dam Section,
Ranipettai, Vellore District.

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**R.MAHADEVAN,J.
and
MOHAMMED SHAFFIQ,J.**

ay

**W.P.Nos.30486 & 30487 of 2015
and
M.P.Nos.1 & 1 of 2015**



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Dated:20.01.2023