



W.P.Nos.10201 of 2023 etc.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.Nos.10201, 10203 and 10207 of 2023

Rajagopal

.. Petitioner
in WP:10201/2023

Gopal

.. Petitioner
in WP:10203/2023

Nanjammal

.. Petitioner
in WP:10207/2023

Vs

- 1 The District Collector
District Collector Office
Krishnagiri
Krishnagiri District.
- 2 The Thasildar
Thasildar Office, Krishnagiri
Krishnagiri District.
- 3 The Revenue Inspector
Revenue Inspector Office
Krishnagiri, Krishnagiri District.

.. Respondents
in all WPs.



W.P.Nos.10201 of 2023 etc.

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Prayer in W.P.No.10201 of 2023: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 2nd respondent not to evict the petitioner from the cultivating land and also to direct the 2nd respondent to issue a patta to the petitioner land bearing Survey No.381 classified as Government Land admeasuring to an extent 0.65.00 hectare approximately 1.62 cent situated at Souttahalli Village, Periyamuthur, Vinayagapuram Village, Krishnagiri Taluk, Krishnagiri, by considering the petitioner's representation dated 02.02.2023.

Prayer in W.P.No.10203 of 2023: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 2nd respondent not to evict the petitioner from the cultivating land and also to direct the 2nd respondent to issue a patta to the petitioner land bearing Survey No.381 classified as Government Land admeasuring to an extent 0.52.00 hectare approximately 1.3 cent situated at Souttahalli Village, Periyamuthur, Vinayagapuram Village, Krishnagiri Taluk, Krishnagiri, by considering the petitioner's representation dated 30.1.2023.

Prayer in W.P.No.10207 of 2023: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 2nd respondent not to evict the petitioner from the cultivating land and also to direct the 2nd respondent to issue a patta to the petitioner land bearing Survey No.381 classified as Government Land admeasuring to an extent 0.22.30 hectare approximately 0.55 cent situated at Souttahalli Village, Periyamuthur, Vinayagapuram Village, Krishnagiri Taluk, Krishnagiri, by considering the petitioner's representation dated 30.1.2023.

For the Petitioners : Mr.V.Balamurugan

For the Respondents : Mr.P.Muthukumar
State Government Pleader



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COMMON ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

These writ petitions have been filed by the petitioners for issuance of a writ of mandamus directing the respondents not to evict them from the cultivating land and also to direct the second respondent to issue patta for the land bearing Survey No.381, classified as government land, situated at Souttahalli Village, Periyammuthur, Vinayagapuram Village, Krishnagiri Taluk by considering their representations dated 2.2.2023 and 30.1.2023.

2. Learned counsel appearing for the petitioners submitted that earlier the petitioners have submitted applications seeking issuance of patta in favour of them for the land in question and when such applications were pending, the third respondent issued notices under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (for short, "*the Act of 1905*") to the petitioners on 29.12.2022 calling upon them to submit their explanation within fifteen days. Learned counsel would submit that the petitioners have submitted their explanation on 30.01.2023 and 02.02.2023 to the notice



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issued under Section 7 of the Act of 1905. While so, without even considering the explanation given by the petitioners, it is submitted that the respondent authorities are trying to evict them from the land in question. Hence, the petitioners have been advised to file these writ petitions.

3. Mr.P.Muthukumar, learned State Government Pleader appearing for the respondents, submitted that the petitioners have rushed to this Court even before the respondent authorities passed an order on the explanation submitted by the petitioners. It is further submitted that, if two weeks' time is granted to the respondent authorities, they will consider and pass orders on the explanation submitted by the petitioners to the notice issued under Section 7 of the Act of 1905.

4. Recording the submission made by learned Special Government Pleader, these writ petitions are disposed of by directing the respondent authorities to consider and pass orders on the explanation dated 30.01.2023 and 02.02.2023 submitted by the



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petitioners to the notice issued under Section 7 of the Act of 1905, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
03.04.2023

Index : No
Neutral Citation : No
sasi

To:

- 1 The District Collector
District Collector Office
Krishnagiri
Krishnagiri District.
- 2 The Thasildar
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