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W.P.Nos.8809, 8810, 8811, 8814 & 8816 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.07.2023

CORAM

THE HON'BLE MRS.JUSTICE J.NISHA BANU

AND

THE HON'BLE MRS.JUSTICE N.MALA

W.P.Nos.8809, 8810, 8811, 8814 & 8816 of 2023

Kalaiselvi	... Petitioner in W.P.No.8809 of 2023
Bhakiyalakshmi	... Petitioner in W.P.No.8810 of 2023
Ammasi	... Petitioner in W.P.No.8811 of 2023
Ganesan	... Petitioner in W.P.No.8814 of 2023
Murugesan	... Petitioner in W.P.No.8816 of 2023

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
Housing and Urban Development Department,
Fort St. George,
Chennai – 600 009.

2.The District Collector,
Office of the District Collectorate,
Salem District.

3.The Executive Officer (Cum)
The President of Village,
Kottamettupatti Village,
Omalur Taluk,
Salem District.

... Respondents in all the W.P.Nos.



COMMON PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the third respondent not to disturb the petitioner till the disposal of the appeal pending before the first respondent and consequently direct the third respondent to consider the petitioner's representation dated on 21.02.2023 and pass such other order or orders as may be deemed fit and proper in the circumstances of the case.

For Petitioner's in all W.P.Nos. : Mr.M.Vijayaragavan

For R1 & R2 in all W.P.Nos. : Mr.E.Vijay Anand
Additional Government Pleader

For R3 in all W.P.Nos. : Mr.A.Selvendran
Special Government Pleader

* * * * *

ORDER

[Order of the Court was made by N.MALA,J.]

These Writ Petitions are filed to direct the third respondent not to disturb the petitioner till the disposal of the appeal pending before the first respondent and consequently direct the third respondent to consider the petitioners' representation dated on 21.02.2023.

2.As the prayer in the writ petitions are similar in nature and directed against the



very same respondents, the writ petitions are heard together and disposed off by this common order.

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3.The third respondent by order dated 18.01.2023, directed the petitioners to evict from the property scheduled in the said order. The petitioners aggrieved by the said order preferred the appeals under Section 80 A of Tamil Nadu Town and Country Planing Act, 1971 through RPAD on 04.02.2023. The Appellate Authority though received the appeals did not consider the same. The petitioners apprehending that the third respondent would forcibly evict the petitioners from the said lands filed the above writ petitions for a Writ of Mandamus, directing the third respondent not to disturb the petitioners till the disposal of the appeals.

4.The learned counsel for the petitioners submitted that the petitioners would be specified if a direction is issued to the first respondent to dispose of the appeals filed under Section 80 A of the Tamil Nadu Town and Country Planing Act, 1971, within a time frame to be fixed by this Court.

5.Considering the limited prayer of the learned counsel for the petitioners, a direction is issued to the first respondent to dispose of the appeals filed by the petitioners on 04.02.2023 under Section 80 A of Tamil Nadu Town and Country Planing Act,



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1971, within a period of four weeks from the date of receipt of a copy of this order. It is further directed the third respondent shall not take any coercive steps against the petitioners till the disposal of the appeals.

6. Accordingly, the writ petitioners are disposed of with the above directions.

There shall be no order as to costs.

J.N.B.J., N.M.J.,
20.07.2023

Index : yes/no
Internet : yes/no
ah

To

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&
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