



WP No.32063 of 2023, etc. batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP Nos.32063, 32148, 32135, 32138, 32141,
32070, 32072, 32145, 32147, 32068 and 32132 of 2023
and WMP Nos.31720, 31723, 31729, 31727, 31710, 31712, 31653,
31654, 31647, 31716, 31717, 31648, 31649, 31650, 31652, 31734,
31705, 31706, 31655, 31735, 31732 and 31733 of 2023

W.P.No.32063 of 2023

D.Manipaul

.. Petitioner

-vs-

1. The Union of India,
Rep. by the Joint Secretary
(Land and Works), Department of
Defence, Central Secretariat,
No.234, South Block, Delhi.
2. The State of Tamil Nadu,
Rep. by Additional Chief,
Secretary to Government,
Department of Municipal Administration
Urban and Water Supply, Secretariat,
Fort St. George, Chennai 600 009.
3. The Chief Executive Officer,
Cantonment Board,
St. Thomas Mount cum Pallavaram,
St. Thomas Mount, Chennai 600 016.



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4. The Estate Officer,
Cantonment Board,
St. Thomas Mount cum Pallavaram,
St. Thomas Mount, Chennai 600 016.
5. The Commissioner,
Greater Chennai Corporation,
Ripon Buildings, Chennai 600 003.
6. The District Collector,
Chennai District,
Collectorate Building, Singaravelar Maaligai,
No.62, Rajaji Salai, Chennai 600 001.
7. The Tahsildar,
Alandur Taluk, St. Thomas Mount,
No.14, Chennai-Nagapattinam Highway,
Alandur, Chennai 600 061.
8. Deputy Commissioner of Police,
Law & Order, St. Thomas Mount Range,
St. Thomas Mount, Chennai 600 016.
9. Assistant Commissioner of Police,
Law & Order, St. Thomas Mount Range,
St. Thomas Mount, Chennai 600 016.
10. Inspector of Police,
Law & Order, S-9, Nanganallur
Police Station, Nanganallur,
Chennai 600 061.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the impugned eviction proceedings in No.STM/Work/8/2830, dated 27.10.2023 issued by the 4th respondent and quash the same.

For the Petitioners
in all WPs. : Mr.P.Satheesh Kumar



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For the Respondents
in all WPs.

: Mr.AR.L.Sundaresan
Addl. Solicitor General
assisted by Mr.Rajesh Vivekanandan,
Dy. Solicitor General for R-1
:
Mrs.R.Anitha
Spl. Government Pleader
for RR 2, 6 to 10
:
Mr.C.Mohan
for M/s.King & Patridge
for RR 3 and 4
:
Mr.A.Arun Babu
Standing Counsel for R-5
* * * * *

COMMON ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.Satheesh Kumar, learned counsel for the petitioners, Mr.AR.L.Sundaresan, learned Additional Solicitor General assisted by Mr.Rajesh Vivekanandan, learned Deputy Solicitor General, for respondent No.1, Mrs.R.Anitha, learned Special Government Pleader, for respondent Nos.2 and 6 to 10 and Mr.A.Arun Babu, learned standing counsel for respondent No.5.

2. We had heard the matter on the last date. The learned counsel for the petitioners submitted that time be given to the petitioners to vacate the premises. The undertaking is filed today stating that though time is sought upto 31.05.2024, the petitioners



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unconditionally undertake to vacate the premises on or before any other date fixed by this Court.

3. Considering the fact that the petitioners are residing there as claimed by them, we grant time to the petitioners upto 28.02.2024 to vacate the premises. The petitioners shall vacate the subject writ premises on or before 28.02.2024. The said time is given in view of the undertaking given by the petitioners. The petitioners are bound to comply with the same. In case the petitioners do not vacate on or before 28.02.2024, then the respondents will be entitled to take steps to evict them and the petitioners may make themselves liable for contempt.

With this observation, the writ petitions are disposed of. There will be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(S.V.G., CJ.)

(D.B.C., J.)

17.11.2023

Index : Yes/No
Neutral Citation : Yes/No
sra



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WEB COPY To

1. The Joint Secretary,
Union of India (Land and Works),
Department of Defence, Central Secretariat,
No.234, South Block, Delhi.
2. The Additional Chief Secretary to Government
State of Tamil Nadu, Department of Municipal
Administration Urban and Water Supply, Secretariat,
Fort St. George, Chennai 600 009.
3. The Chief Executive Officer,
Cantonment Board,
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St. Thomas Mount, Chennai 600 016.
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WEB COPY



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