



W.P.No.34430 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.34430 of 2023

1. A.Banupriya
2. A.Jesintha Priya Kumari .. Petitioners

Vs.

1. Government of Tamil Nadu
Rep. by its Principal Secretary to Government
Revenue and Disaster Management Department
Fort St. George, Secretariat, Chennai – 600 009.
2. The Additional Chief Secretary to Government/
Commissioner of Land Administration
Commissionerate of Land Administration, A.C.S/C.L.A
PWD Estate, Ezhilagam Building, Chepauk
Chennai – 600 005.
3. The Commissioner
Greater Chennai City Corporation
Ripon Building, Park Town
Chennai – 600 003.
4. The District Collector
Chennai District, Collectorate
Singaravelar Maaligai, Fourth Floor
No.62, Rajaji Salai, Chennai – 600 001.



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5. The Revenue Divisional Officer
South Chennai Revenue Division
Anna Salai, Guindy
(Near the Tamil Nadu Dr.M.G.R.Medical University)
Chennai – 600 032.
6. The Tahsildar
Sholinganallur Taluk
No.1, 1st Cross Street, New Kumaran Nagar
Sholinganallur, Chennai – 600 119.
7. The Revenue Inspector
Sholinganallur Firka, Sholinganallur
Sholinganallur Taluk, Chennai – 600 119.
8. The Village Administrative Officer
No.14, Injambakkam Village
Dr.Nanjunda Rao Road, Injambakkam
Sholinganallur Taluk, Chennai – 600 115. .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents to consider the petitioners detailed written explanation reply statements dated 18.11.2023 within a stipulated time fixed by this Court, consequently, forbearing the respondents 6th to 8th Tahsildar, Revenue Inspector and Village Administrative Officer from bias, coercive, partial, arbitrarily, forcibly, illegally evicting the petitioners lawful settled possession, enjoyment and occupation of premises in S.No.14/3 situated at Injambakkam Village, Sholinganallur Taluk, Chennai District.



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For the Petitioners : Mr.A.Anandha Babu

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for R1, R2 & R4 to R8

Mr.A.Arun Babu
Standing Counsel
for R3

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.A.Anandha Babu, learned counsel for the petitioners, Mr.P.Muthukumar, learned State Government Pleader for respondents 1, 2 and 4 to 8 and Mr.A.Arun Babu, learned Standing Counsel for respondent 3.

2. Notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 [for brevity, "the Act of 1905"] is issued to the petitioners. The contention of the petitioners is that their reply may be directed to be considered before proceedings under Section 6 of the Act of 1905 are initiated.

3. When reply is solicited, the same certainly will have to be considered by the authority before passing orders under Section 6 of



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the Act of 1905. The reply filed by the petitioners with the authority shall be considered before passing orders under Section 6 of the Act of 1905 by the authority concerned.

4. In the light of that, the writ petition stands disposed of. There will be no order as to costs. Consequently, W.M.P.No.34349 of 2023 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

12.12.2023

Index : Yes/No
Neutral Citation : Yes/No

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To

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