



WP No.34191 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.34191 of 2023
and W.M.P.No.34067 of 2023

N.A.Seethalakshmi

.. Petitioner

-vs-

1. The District Collector,
Chengalput District.

2. The Tahsildar,
Pallavaram Taluk,
chengalput District.

3. The Revenue Inspector,
Pallavaram Taluk,
Chengalput District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to forbear the respondents, their agents, servants, subordinates or anybody acting on their behalf in any way interfering with out possession and enjoyment of the property both land and building situated in S.No.1356, No.9, GST Road, St. Thomas Mount, Chennai-16, bounded on the North by Reserve Police lines on the East by Bungalow of K.Appavoo Chetty on the South by G.S.T. Road on the west by Bungalow No.10 J.Williams.

For the Petitioner : Mrs.G.Selvi George



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For the Respondents : Mrs.R.Anitha,
Spl.Govt. Pleader
* * * * *

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mrs.G.Selvi George, learned counsel for the petitioner and Mrs.R.Anitha, learned Special Government Pleader, for the respondents.

2. The learned counsel for the petitioner points out to the order passed by this Court dated 07.06.2023 in W.P.No.34465 of 2022 with connected writ petitions including the writ petition filed by the petitioner bearing W.P.No.33236 of 2022.

3. In the said case, it was observed that the petitioners therein will have a right to file reply to the notice issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905. The stand of the petitioners therein would be considered by the respondent authorities before passing orders under Section 6 of the said Act.



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4. The learned counsel for the petitioner submits that order under Section 6 of the Act has not been passed and the respondent authorities brought JCB for demolition of the structures of the petitioner.

5. The learned Special Government Pleader, on instructions, accepts that the order under Section 6 of the Act has not yet been passed. The objection of the petitioner would be considered and the structures of the petitioner would not be demolished unless and until the order under Section 6 is passed and the same is adverse to the petitioner.

In view of the said statement, the writ petition stands disposed of. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(D.B.C., J.)

06.12.2023

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



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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sra)

To

1. The District Collector,
Chengalput District.
2. The Tahsildar,
Pallavaram Taluk,
chengalput District.
3. The Revenue Inspector,
Pallavaram Taluk,
Chengalput District.

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