



WEB COPY



W.P.No.32292 of 2005

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.P.No.32292 of 2005

1 GUTLAPPA
2 MUNIRATHINAMMA .. Petitioners

Vs

1 THE DISTRICT COLLECTOR
KRISHNAGIRI DISTRICT
KRISHNAGIRI.
2 THE TAHSILDAR
HOSUR TALUK
HOSUR.
3 GEORGE FOUNDATION
REP.BY ITS CHIEF OPERATING OFFICER
SHANTHI BHAWAN
BALIGANAPALLY VILLAGE AND POST
HOSUR TALUK, KRISHNAGIRI DISTRICT. .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus forbearing the 1st respondent from assigning S.Nos.111, 113, 114, 115 of Baliganapally Village and S.Nos.31, 36, 32, 41/3, 40/2 of Idapally Village and S.Nos.111 and 108 of Allur Village situate within Hosur Taluk, Krishnagiri District.



W.P.No.32292 of 2005

WEB COPY

For the Petitioners : Mrs.V.Srimathi

For the Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by
Mr.K.M.D.Muhilan
Addl. Government Pleader
for respondents 1 and 2

: No appearance
for 3rd respondent

ORDER

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

We have heard Mrs.V.Srimathi, learned counsel for the petitioners, and Mr.P.Muthukumar, learned State Government Pleader, assisted by Mr.K.M.D.Muhilan, learned Additional Government Pleader, for respondents 1 and 2.

2. It is the submission of learned counsel for the petitioners that the first respondent should not assign the lands in S.Nos.111, 113, 114, 115 of Baliganapally Village; S.Nos.31, 36, 32, 41/3, 40/2 of Idapally Village; and S.Nos.111 and 108 of Allur Village



W.P.No.32292 of 2005

WEB COPY

situated within Hosur Taluk, Krishnagiri District.

3. A status report has been filed by the second respondent in the year 2019. As per the status report, the Vari, Thoppu, Eri Karai lands comprised in the aforesaid survey numbers lie outside the lands of George Foundation. The abovesaid Vari was not obstructed by the said George Foundation. There are no encroachments in the Vari and there is no obstruction for passage of water in the Vari. The government has granted lease of land comprised in Survey No.162 to the extent of 0.92.5 Hectares in favour of George Foundation. It is stated that the lease in favour of George Foundation was extended till 31.12.2011 and thereafter the lease was cancelled on 1.1.2012 and the land was resumed by the government and it is now under the control of the Revenue Department free from all encroachments.

4. In view of the status report, the grievance of the petitioners does not subsist.



W.P.No.32292 of 2005

The writ petition is disposed of accordingly. There will be no order as to costs. Consequently, W.M.P.No.35250 of 2005 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

12.06.2023

Index : Yes/No
Neutral Citation : Yes/No
sasi

To:

- 1 THE DISTRICT COLLECTOR
KRISHNAGIRI DISTRICT
KRISHNAGIRI.
- 2 THE TAHSILDAR
HOSUR TALUK
HOSUR.



WEB COPY



W.P.No.32292 of 2005

THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU,J.

(sasi)

W.P.No.32292 of 2005

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