



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2023

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CORAM :

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P(MD)Nos.243 to 247 of 2023
and
connected miscellaneous petitions

Kalamegam	... Petitioner in W.P.243/2023
Arisi Gounder	... Petitioner in W.P.244/2023
Gunasekar	... Petitioner in W.P.245/2023
Palanisamy	... Petitioner in W.P.246/2023
Kamaraj	... Petitioner in W.P.247/2023

vs.

1. The District Collector,
Pudukkottai District,
Pudukkottai.

2. The Tahsildar,
Viralimalai Taluk,
Pudukkottai District.

3. The Block Development Officer,
Viralimalai Taluk,
Pudukkottai District.

4. The Panchayat President,
Rajalipatti Panchayat,
Viralimalai Panchayat Union,
Pudukkottai District.

... Respondents in all WPs

PRAYER in all WPs : Writ Petitions filed under Article 226 of the



Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the entire records relating to the impugned Letter issued by the 4th respondent dated Nil by his proceedings Nil and quash the same as illegal and consequently directing the respondents 1 and 2 to issue house site patta in respect of the petitioner's house property in Door Nos.811, 213, 811, 215 and 810 comprised in S.No.238/2, Pattanapatti, Iluppur Taluk, Rajalipatti, Pudukkottai District.

For Petitioner(in all WPs) : Mr.R.Maheswaran

For R1 & R2(in all WPs) : Mr.M.Sarangan

Additional Government Pleader

COMMON ORDER

(Order of the Court was made by D.KRISHNAKUMAR, J.)

Challenging the eviction notices issued by the 4th respondent, these writ petitions have been filed to quash the same with a consequential direction to the respondents 1 and 2 to issue house site pattas in respect of the petitioners' house properties in Door Nos.811, 213, 811, 215 and 810 respectively comprised in S.No.238/2, Pattanapatti, Iluppur Taluk, Rajalipatti, Pudukkottai District.



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2. On 06.01.2023 when the writ petitions came up for admission, learned counsel for the petitioners sought six months time to vacate the properties in question since the same are classified as waterbody. Recording the said submission, the writ petitions were directed to be listed on 10.01.2023 under the caption 'for orders'. Again, on 10.01.2023, at the request of the learned counsel for the petitioners, the writ petitions were adjourned to 12.01.2023 for filing the undertaking affidavits.

3. Today, learned counsel for the petitioners produced the undertaking affidavits dated 10.01.2023, wherein, the petitioners have stated that they are ready to vacate the premises in question and to relocate their shelters, for which, they sought six months time to vacate the premises in question.

4. Recording the aforesaid undertaking affidavits, the Writ Petitions are disposed of directing the petitioners to vacate their respective premises in question within a period of six months from the date of receipt of a copy of this order. We make it clear that this order will be applicable only in respect of the petitioners herein and as far as the other encroachers are concerned, the respondents are directed to



proceed against them in accordance with law. If the petitioners fail to vacate the premises in question, the respondents shall take possession of the premises in question without any further notice to them. No costs. Consequently, connected miscellaneous petitions are closed.

[D.K.K.,J.] & [R.V.,J.]
12.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
bala

Issue order copy on 19.01.2023

To

1. The District Collector,
Pudukkottai District,
Pudukkottai.
2. The Tahsildar,
Viralimalai Taluk,
Pudukkottai District.
3. The Block Development Officer,
Viralimalai Taluk,
Pudukkottai District.
4. The Panchayat President,
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and
R.VIJAYAKUMAR, J.

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COMMON ORDER MADE IN
W.P(MD)Nos.243 to 247 of 2023
DATED : 12.01.2023