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W.P.Nos.22808 & 22812 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2024

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.Nos.22808 & 22812 of 2024

&

W.M.P.Nos.24842, 24840, 24845, 24950 & 24851 of 2024

Ushadevi Narra

.. Petitioner in
WP No.22808/24

Jagadeesh Kumar Narra

.. Petitioner in
WP No.22818/24

Vs.

1. The District Collector
Office of the District Collector
Kancheepuram District
Kancheepuram 631 501.

2. The Tahsildar
Office of the Tahsildar
Kundrathur Taluk
Metha Nagar Main Road
Kundrathur, Chennai 600 069.

3. The Revenue Inspector



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Office of the Revenue Inspector
Kundrathur, Chennai 600 069.

.. Respondents

Prayer : Petitions filed under Article 226 of the Constitution of India seeking issuance of a writ of Certiorarified Mandamus calling for the impugned order of the 2nd respondent bearing No.Nil dated 25.06.2024 and quash the same and consequently forbear the 2nd and 3rd respondents from in any way interfering with the petitioner's peaceful possession and enjoyment of the land and building comprised in S.No.659/7 & 659/8 and S.No.659/9 respectively at Nandambakkam Village, Kundrathur Panchayat, Sriperumbudur Taluk, Kancheepuram District except in accordance with law.

For the Petitioners : Mr.T.Gowthaman
For Mr.B.Pachaiyappan

For the Respondents : Mr.A.Edwin Prabakar
State Government Pleader

ORDER

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

Petitions are impugning the notice under Section 6 of the Tamil Nadu Land Encroachment Act, 1905.



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2. Without going into the merits of the matter or the details, the following order is passed by consent:

(a) The impugned notice dated 25.06.2024 passed under Section 6 of the Act is hereby quashed and set aside;

(b) The notice dated 03.10.2023 in Form VII is also quashed and set aside with liberty to respondents to issue a fresh notice in Form VII;

(c) Petitioners shall submit the original documents to the District Collector not later than 4.30 pm on 04.10.2024;

(d) The District Collector shall file a report, as directed by this Court in the order dated 18.09.2024, on or before 30.10.2024. On or before 15.11.2024, fresh notice in Form VII shall be issued, annexing the copy of the report received from the District Collector;

(e) Petitioners shall reply to the notice within two weeks thereof;

(f) Thereafter, the authorities shall proceed to pass appropriate orders in accordance with law after giving a hearing to petitioners, notice whereof shall be communicated at least five working days in advance. The order to be passed shall be a reasoned order dealing



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with all submissions of petitioners.

3. Petitions are disposed of. The statement of learned counsel for petitioners that the status as it appears from the photograph submitted by learned State Government Pleader on 07.08.2024 shall be maintained is accepted as an undertaking to this Court. There shall be no order as to costs. Consequently, all interim applications are closed.

(K.R.SHRIRAM, CJ)

(SENTHILKUMAR RAMAMOORTHY,J.)

03.10.2024

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

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THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY,J.

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