



WEB COPY



W.P.Nos.28051, 28055, 28059
& 28062 of 2024 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2024

CORAM :

THE HON'BLE MR.D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.Nos.28051, 28055, 28059 & 28062 of 2024 of 2024

Poonkodi	..	Petitioner in WP No.28051/24
Renuga	..	Petitioner in WP No.28055/24
Meera	..	Petitioner in WP No.28059/24
Mala	..	Petitioner in WP No.28062/24

Vs.

1. The State rep. by
The District Collector
O/o. District Collector Office
Chengalpattu District.
2. The Revenue Inspector
Revenue Inspector Office
Tambaram
Chengalpattu District.

.. Respondents



W.P.Nos.28051, 28055, 28059
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Prayer: Petitions filed under Article 226 of the Constitution of India seeking issuance of writs of Mandamus forbearing the respondents from taking coercive action based on the notice dated 05.08.2024 on the house situated at survey numbers 404/3, 411/2, 411/2 and 404/3 respectively at Sasivarathan, 6th Street, Perungalathur, Chengalpattu District until the 1st respondent pass appropriate orders after giving the petitioner an opportunity of personal hearing to the petitioner on the explanation cum representation dated 19.08.2024.

For the Petitioners : Mr.R.Thirumoorthy

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

ORDER

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

The petitioners seek to forbear the respondents from taking coercive action based on the notice dated 05.08.2024 on the house situated at survey numberd 404/3, 411/2, 411/2 and 404/3, Sasivarathan, 6th Street, Perungalathur, Chengalpattu District till the disposal of representation dated 19.08.2024 by the 1st respondent.

2. According to the petitioners, they are in possession of the



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lands in question for more than 30 years and admittedly, the said lands are classified as government tharisu. Similarly placed persons, numbering about 294, are in possession and enjoyment of the property. Though notice has been issued to all the encroachers, the petitioners alone have the threat of eviction as they have again received notice under Section 6 of the Tamil Nadu Land Encroachment Act, 1905.

3. Learned State Government Pleader strongly denied the above and stated that notice has been served on all the 294 encroachers asking them to vacate the land in question and consequently, notice under Section 6 of the Act also served on them. He further submitted that the prayer of the petitioners cannot be granted.

4. On perusal of the prayer, it is clear that the petitioners have prayed only for mandamus and thus, they have not challenged the notice served on them. Further, notice has been sent to all the



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similarly placed persons pursuant to the order passed by this Court dated 12.03.2024 in W.P.No.12001 of 2018.

5. In such circumstances, the writ petitions are not maintainable and accordingly, they are dismissed. There shall be no order as to costs. Consequently, W.M.P.Nos.30601, 30604, 30607 and 30610 of 2024 are also dismissed.

(D.K.K., ACJ.) (P.B.B., J.)
23.09.2024

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

1. The District Collector
O/o. District Collector Office
Chengalpattu District.
2. The Revenue Inspector
Revenue Inspector Office
Tambaram
Chengalpattu District.



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D.KRISHNAKUMAR, ACJ,
AND
P.B.BALAJI,J.

(kpl)

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