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W.P.Nos.28734 and 28737 of 2024 and

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2024

CORAM:

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

AND

THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

W.P.Nos.28734 and 28737 of 2024 and
W.M.P.Nos.31332, 31334, 31336, 31340,
31341, 31343 & 31344 of 2024

W.P.No.28734 of 2024

Veeramani

... Petitioner

-VS-

1. The State of Tamil Nadu
Rep. by its Secretary to Government,
Water Resources Department,
Secretariat, Fort St.George,
Chennai-600 009.
2. The Secretary to Government,
Revenue and Disaster Management Department,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai-600 009.
3. The Secretary to Government,
Public Works Department,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai-600 009.



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4. Divisional Officer,
Water Resources Department,
Sengundram Irrigation Division,
Sengundram, Chennai-600 052.

5. The Thasildar,
Ambattur Taluk,
Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent pertaining to the impugned notice-sign pasted at the petitioner's property at Plot No.23, R.K.Datsun Nagar, Karukku, Gnanamurthy Nagar, Pattaravakkam, Chennai-600 053 on 24.09.2024 and quash the same as being in violation of the guidelines prescribed by this Court in the judgment dated 10.02.2010 in W.P.No.20021 of 2008 and Section 7 of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 and consequently forbear the respondents from in anyway interfering with the petitioner's peaceful possession and enjoyment of his property situated at Plot No.23, R.K.Datsun Nagar, Karukku, Gnanamurthy Nagar, Pattaravakkam, Chennai-600 053, which is comprised in S.No.810/6 of Korattur Village, Ambattur Taluk, Chennai District admeasuring an extent of 600 sq.ft.

W.P.No.28737 of 2024

1. K.Mageshwaran
2. M.Subramani
3. S.Panneerselvam
4. V.Maharajan

... Petitioners

-VS-

1. The State of Tamil Nadu
Rep. by its Secretary to Government,
Water Resources Department,
Secretariat, Fort St.George,
Chennai-600 009.



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2. The Secretary to Government,
Revenue and Disaster Management Department,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai-600 009.

3. The Secretary to Government,
Public Works Department,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai-600 009.

4. Divisional Officer,
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Sengundram Irrigation Division,
Sengundram, Chennai-600 052.

5. The Thasildar,
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Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent pertaining to the impugned notice-sign pasted at R.K.Datsun Nagar, Karukku, Gnanamurthy Nagar, Pattaravakkam, Chennai-600 053 on 24.09.2024 and quash the same as being in violation of the guidelines prescribed by this Court in the judgment dated 10.02.2010 in W.P.No.20021 of 2008 and Section 7 of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 and consequently forbear the respondents from in anyway interfering with the petitioner's peaceful possession and enjoyment of their property situated at Plot No.20 (1st petitioner), Plot No.34 (2nd petitioner), Plot No.17 (3rd petitioner) and Plot No.12 (4th petitioner) at R.K.Datsun Nagar, Karukku, Gnanamurthy Nagar, Pattaravakkam, Chennai-600 053, which is



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comprised in S.No.810/6 of Korattur Village, Ambattur Taluk, Chennai District admeasuring an extent of 600 sq.ft. Each.

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For Petitioners : Mr.G.Adithyaraj

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

COMMON ORDER

(By Hon'ble Acting Chief Justice)

These Writ Petitions have been filed, challenging the impugned notice-signs pasted at R.K.Datsun Nagar, Karukku, Gnanamurthy Nagar, Pattaravakkam, Chennai-600 053 on 24.09.2024. The petitioners also sought to forbear the respondents from in anyway interfering with the petitioner's peaceful possession and enjoyment of the properties situated at Plot Nos.23, 20, 34, 17 and 12 at R.K.Datsun Nagar, Karukku, Gnanamurthy Nagar, Pattaravakkam, Chennai-600 053, which is comprised in S.No.810/6 of Korattur Village, Ambattur Taluk, Chennai District admeasuring an extent of 600 sq.ft.

2. When these matters are taken up for hearing, learned counsel for the petitioners sought two months' time to enable the petitioners to vacate the premises and hand over the same to the respondents.



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3. In view of the above submission, *these Writ Petitions are disposed of*

with a direction to the petitioners to file an affidavit forthwith before the concerned respondent, undertaking to vacate the premises within two months, viz., on or before 25.11.2024. It is made clear that if the petitioners do not vacate the precincts within the time stipulated, it is open to the respondents to take further action without any further notice to the petitioners. It is further made clear that this order is applicable only to the petitioners herein alone and the same shall not be treated as precedent for others to come up with the similar request. No costs. Consequently, connected Miscellaneous Petitions are closed.

[D.K.K.,ACJ.] [M.J.R,J.]
26.09.2024

Index: Yes / No
Internet: Yes / No
Speaking Order/Non Speaking Order
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HON'BLE ACTING CHIEF JUSTICE,
AND
M.JOTHIRAMAN,J.,
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To:

1. The Secretary to Government,
State of Tamil Nadu
Water Resources Department,
Secretariat, Fort St.George,
Chennai-600 009.
2. The Secretary to Government,
Revenue and Disaster Management Department,
Government of Tamil Nadu,
Secretariat, Fort St.George,
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