



W.P.No.2549 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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- 1.Santhi
- 2.P.Subbulakshmi
- 3.Deivanai
- 4.Kamalam
- 5.Jeyamani
- 6.Pushpam @ Pushpathal
- 7.Valarmathi
- 8.Savithri

.. Petitioners

VS

- 1.The District Collector,
Office of the District Collector,
Tirupur District.
- 2.The District Welfare Officer,
Adi Dravidar Welfare,
Office of the District Collector,
Tirupur, Tirupur District.
- 3.The Special Tahsildar,
Adi Dravidar Welfare,
Office of the Tahsildar,
Kangayam, Tirupur District.

.. Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the records connected with the impugned order passed by the second respondent in Na.Ka.4343/2019.KA1 dated 7.3.2023 and quash the same and consequently direct the third respondent to measure the land in Survey No.307/1A situated at Uppupalayam Village, Vellakovil Kangayam Taluk, Tirupur District and confirm the possession of the petitioners as per the patta allotments provided to them.

For the Petitioners : Mr.N.Stalin

For the Respondents : Mr.A.Edwin Prabakar
State Government Pleader
assisted by
Mr.K.Karthik Jagannath
Government Advocate

ORDER

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

We have heard Mr.N.Stalin, learned counsel for the petitioners; and, Mr.A.Edwin Prabakar, learned State Government Pleader, assisted by Mr.K.Karthik Jagannath, learned Government Advocate for the respondents.

2. The impugned order only requires that the encroachment be removed and the Special Tahsildar, Kangayam Welfare Officer of the



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Scheduled Caste, is requested to submit a detailed report for removal of the encroachment.

3. For removal of encroachment, the procedure as required under the Tamil Nadu Land Encroachment Act, 1905 and/or such other Act would be required to be adhered to. In case, such notice is issued to the petitioners, the petitioners may agitate against the same. If patta is cancelled, the petitioners have a remedy of appeal against the order cancelling the patta. The petitioners may avail the said remedy. In that event, all contentions of the respective parties are kept open.

4. With these observations, the writ petition is disposed of. There shall be no order as to costs. Consequently, W.M.P.Nos.2793 and 2796 of 2024 are closed. W.M.P.No.2792 of 2024 filed by the petitioners to permit them to file a single writ petition is allowed and disposed of.

(S.V.G., CJ.)

(D.B.C., J.)

07.02.2024

Index : Yes/No
Neutral Citation : Yes/No



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To

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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

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