



WEB COPY



W.P.Nos.36433 and 36438 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2024

Coram

THE HONOURABLE MR.JUSTICE **M.SUNDAR**

and

THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

W.P.Nos.36433 and 36438 of 2024

&

W.M.P Nos.39301 in W.P.No.36433 of 2024

&

W.M.P.No. 39305 of 2024 in W.P.No.36438 of 2024

S.Ramesh

S/o.Subramani

.. Petitioner

in W.P.No.36433 of 2024

1. R.Subramani

S/o.Ramakrishnan

2. Dhanasekar

S/o.Rajapthar

3. R.S.Senthil

S/o.Shanmugam



W.P.Nos.36433 and 36438 of 2024

4. Chakravarthy
S/o.Ramakrishnan

... Petitioners

in W.P.No.36438 of 2024

VS

1. The District Collector
Thiruvallur District
Thiruvallur

2. The Tahsildhar
Thiruvallur Taluk
Thiruvallur

3. The Block Development Officer
Kadambathur Panchayat Union
Kadambathur
Thiruvallur

4. The Superintendent of Police
Thiruvallur District
Thiruvallur

5. C.Suyamprakash
S/o.K.Chandraiya

.. Respondents
in both WPs

Prayer in W.P.No.36433 of 2024 : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus forbearing Respondents 1 to 4 from demolishing the shop in petitioner's property comprised in Survey No.273/10C1A admeasuring 1528 square feet, situate at No.120, Perambakkam Village, Thiruvallur Taluk and



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District.

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W.P.Nos.36433 and 36438 of 2024

Prayer in W.P.No.36438 of 2024 : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus forbearing Respondents 1 to 4 from demolishing the shop in petitioners property comprised in Survey No.273/4 admeasuring 150 square feet, situate at No.120, Perambakkam Village, Thiruvallur Taluk and District.

For Petitioner : Mr.B.Bennington
in both WPs

For Respondents : Mr.T.K.Saravanan
in both WPs Government Advocate for R1 &R2

Mr.N.Muthuvel
Government Advocate for R3

Mr.M.Babu Muthu Meeran
Addl. Government Pleader for R4

COMMON ORDER

(Order of the Court was made by M.SUNDAR, J.)

Captioned writ petitions pertain to land comprised in 'S.Nos.273/10C1A and 273/4 at No.120, Perambakkam Village, Thiruvallur Taluk and District' [hereinafter 'said lands' for the sake of brevity and convenience].



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2. When the captioned matters were listed before another Hon'ble

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Division Bench on 06.12.2024, the following order was made:

Sl. No.	Main Case/ Misc. Case No.	Office Notes, Reports, Orders or Proceedings with Signatures
	W.P. Nos. 36433 & 36438/24 & writ nos. 39261, 29304 & 39262/2024	(H) J.N.B.J. & K.S.J. Mr. T. V. Saravanan, Learned Counsel, Advocate takes notice for respondents reply in both cases and conveying to Jd (Instructions) Order on application Jd vs/20 21/12/24

3. Today, the learned State counsel submits, on instructions, that notices under 'The Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905)' {hereinafter 'said 1905 Act' for the sake of brevity, convenience and clarity} have been issued only with regard to S.No.274 and not with regard to said lands.



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4. Therefore, we deem it appropriate to close the captioned writ petitions recording the stated position of the learned State counsel.

5. As regards notices said to have been issued regarding S.No.274, if R5 and / or any other noticee has rights, all the rights and contentions stand preserved. Likewise as regards said lands, rights and contentions of writ petitioner are preserved if any action is initiated in the days to come.

6. Captioned writ petitions and writ miscellaneous petitions thereat are disposed of as closed. There shall be no order as to costs.

[M.S., J]

[K.R.S., J]

09.12.2024

Index: Yes/No

Neutral Citation: Yes/No

Speaking order / Non-speaking order

gpa



W.P.Nos.36433 and 36438 of 2024

M.SUNDAR,J.,
and
K.RAJASEKAR, J.,

gpa

To

1. The District Collector
Thiruvallur District
Thiruvallur

2. The Tahsildhar
Thiruvallur Taluk
Thiruvallur

W.P.Nos.36433 and 36438 of 2024

3. The Block Development Officer
Kadambathur Panchayat Union
Kadambathur
Thiruvallur

4. The Superintendent of Police
Thiruvallur District
Thiruvallur

09.12.2024