



W.P.(MD) No.23904 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD) No.23904 of 2024
and
W.M.P.(MD)Nos.20249 and 20250 of 2024**

K.Balasundaram

2.Shanthi

3.Malaiyarasan

... Petitioners

-VS-

- 1.The Additional Chief Secretary and
Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai – 600 005.
- 2.The Principal Secretary and
Commissioner of Land Survey and Settlement,
PWD Estate, Chepauk,
Triplicane, Chennai – 600 005.
- 3.The Commissioner of Land Survey and Settlement,
Ezhilagam, Chepauk,
Chennai – 600 005.
- 4.The Settlement Officer,
Land Administration,
Thanjavur.



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5.The Assistant Settlement Officer,
Land Administration,
Thanjavur.

6.The Executive Officer,
Arulmigu Someshwar Swami Kovil,
Kumbakonam,
Thanjavur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, prohibiting the respondents from evicting the petitioners in respect of the land in Survey Nos.74/13, 74/14, 74/16 and 74/17 in Pudhudiwan Vada Thottam Village, Kumbakonam Taluk and Town, Thanjavur District.

For Petitioners	: Ms.J.Anandhavalli
For Respondents 1 to 5	: Mr.P.T.Thiraviyam Government Advocate
For 6 th Respondent	: Mr.V.Chandrasekar

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

Mr.P.T.Thiraviyam, learned Government Advocate takes notice for the respondents 1 to 5. Mr.V.Chandrasekar, learned counsel takes notice for the 6th respondent.

2.Apprehending that the petitioners may be evicted by the respondents, the petitioners have come up with this Writ Petition. Though attempt is being made to argue on merits, we do not find any necessity to go into merits.



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3.If the respondents find that the petitioners are encroachers, it will be open to the respondents to take action either under the Provisions of the Urban Local Bodies Act or under the Provisions of the Hindu Religious Charitable Endowments Act, as may be applicable and we make it clear that the Provisions of the two enactments shall be complied with, in the letter and spirit.

4.With the above observation, the Writ Petition is dismissed. No Costs. Consequently, connected miscellaneous petitions are closed.

[R.S.M., J.]

[L.V.G., J.]

04.10.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
Mrn



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To

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and
L.VICTORIA GOWRI, J.

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