



WEB COPY



W.P.No.41441 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2025

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.No.41441 of 2025
and
W.M.P.No.46398 of 2025

R.Pascalmary

.. Petitioner

VS

1. The Director,
Directorate of Municipal Administration,
No.75, Urban Admin Building,
Santhome High Road,
MRC Nagar, Raja Annamalaipuram,
Chennai – 600 028.
2. The Regional Director,
O/o.Regional Director of Municipal Administration,
No.48, Marudhasalapuram Main road,
Kumaranathapuram, Thiruppur.
3. The Commissioner,
Mettupalayam Municipality,
Mettupalayam, Coimbatore District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records in Na.Ka.No.2682/2006/A1 dated 08.09.2025 on the file of 3rd respondent and quash the same and directing the respondents to execute the sale deed



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in favour of the petitioner with respect to the property admeasuring 1500 sq.ft situated at No.2, Municipal Colony, Mettupalayam Town in the light of Resolution No.440 dated 31.03.1997 on the file of the 3rd respondent.

For Petitioner : Mr.R.Rajarajan

For Respondents : Dr.T.Seenivasan
Special Government Pleader

ORDER

The issue raised in this writ petition is covered by the judgment in W.P.Nos.36738 of 2025 etc., batch dated 26.09.2025, in which the following order is passed :

"8. I am not in agreement with Mr.Rajarajan. Mr.Rajarajan's clients had entered possession as tenants. They continue to remain as tenants even after the death of the original allottees. Therefore, they cannot be treated as encroachers. However, there is a legislation in the State of Tamil Nadu, titled "the Tamil Nadu Public Premises (Eviction of Unauthorised Occupants) Act, 1975 ". In terms of Section 2(e)(2) of the said Act, any premises belonging to, or taken on lease by or on behalf of a local Board or local Authority would be treated as "public premises". As to what is "unauthorized occupation" is covered under Section 2(g) of said Act. It includes continuance in possession by any person



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of a public premises after the Authority under which he was allowed to occupy the premises, either has expired or has been determined for any reason whatsoever. The notices that are impugned in these writ petitions would have to be treated only as a notice determining the tenancy of the petitioners.

9. Therefore, recording the statement of Dr.Seenivasan, that the Authorities will proceed strictly in accordance with law, in case the possession is not handed over, within the period fixed under the impugned notice, these writ petitions stand disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed."

2. This writ petition is disposed of on the same terms. No costs.

Consequently, connected miscellaneous petition is closed.

06.11.2025

Speaking order/non-speaking order

Index : Yes/no

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To

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V. LAKSHMINARAYANAN, J.

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