

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Monday, the Second day of December Two Thousand Nineteen

PRESENT

THE HON`BLE MR JUSTICE T. S. SIVAGNANAM

WP.Nos.33587 & 33593 of 2019

AND WMP.Nos.34052, 34055, 34061 & 34062 Of 2019

A.VARUNRAJ ... PETITIONER in WP No.33587 of 2019
S/O. LATE ANNAMALAI DOOR NO 39 MUTHU
VINAYAGAR KOIL STREET TIRUVANNAMALAI TOWN
TIRUVANNAMALAI DISTRICT.

S.SIVANESAN S/O. SUBRAMANI ... PETITIONER in WP No.33593 of 2019
DOOR NO 1009- B THENDRAL NAGAR 2ND STREET
VENGIKKAL TIRUVANNAMALAI TALUK
TIRUVANNAMALAI DISTRICT

Vs

1 STATE OF TAMILNADU REP BY IT [RESPONDENTS IN ALL THE PETITIONS]
S SECRETARY, TO GOVERNMENT DEPARTMENT OF
REVENUE FORT.ST.GEORGE CHENNAI-9.

2 THE DISTRICT COLLECTOR
TIRUVANNAMALAI.

3 REVENUE DIVISIONAL OFFICER
O/O REVENUE DIVISIONAL
OFFICER
TIRUVANNAMALAI- 606 601.

4 THE TAHSILDAR
TIRUVANNAMALAI- 606 601.

Writ petitions under article 226 of the Constitutions of India praying that in these circumstances stated therein and in the respective affidavits filed their with the High Court will pleased to issue a WRIT OF CERTIORARIFIED MANDAMUS or any other appropriate writ, order or direction in the nature of a WRIT OF CERTIORRIFIED MANDAMUS,

A(I) WP No.33587 of 2019

To call for the entire records in connection with the Impugned proceedings of the 2nd Respondent in NA.KA.A2/43118/2013 dated 18.4.2016 and quash the same in so far as it violaes the Petitioners constitutional rights of enjoyment of the Land in Plot No 11 Measuring 1785 square feet in Old Survey No 191/4 as per patta New Sub division Survey No 257/12, of Vengikkal village, Tiruvannamalai Taluk and consequently direct the respodents to remove the Petitioners land from the Prohibition entry of the revenue records.

(II) WP No.33593 of 2019

To call for the entire records in connection with the Impugned proceedings of the 2nd Respondent in NA.KA.A2/43118/2013 dated 18.4.2016 and quash the same in so far as it violaes the Petitioners constitutional rights of enjoyment of the Land in Plot No 9 Measuring 1800 square feet in Old Survey No 191/4 as per patta New Sub division Survey No 257/32 of Vengikkal village, Tiruvannamalai Taluk and District.

B(I) WMP No.34052 of 2019

To Grant an order of Injunction restraining the Respondents/ Revenue authorities their agents, subordinates or servants acting on their behalf from in any way interfere with the Peaceful possession and enjoyment of the Petitioners Land in Plot No 11 Measuring 1785 square feet in Old Survey No 191/4 as per patta New Sub division Survey No 257/12, of Vengikkal village, Tiruvannamalai Taluk and District, pending disposal of the above Writ Petition.

(II) WMP No.34055 of 2019

To Grant stay of operation of the Impugned proceedings in NA.KA.A2/43118/2013 dated 18.4.2016 passed by the 2nd Respondent, pending disposal of the above Writ Petition

(III) WMP No.34061 of 2019

To Grant an order of Injunction restraining the Respondents/ Revenue authorities their agents, subordinates or servants acting on their behalf from in any way interfere with the Peaceful possession and enjoyment of the Petitioners Land in Plot No9 Measuring 1800 square feet in Old Survey No 191/4 as per patta New Sub division Survey No 257/32 of Vengikkal village, Tiruvannamalai Taluk and District, pending disposal of the above Writ Petition.

(IV) WMP No.34062 of 2019

To Grant stay of operation of the Impugned proceedings in NA.KA.A2/43118/2013 dated 18.4.2016 passed by the 2nd Respondent, pending disposal of the above Writ Petition

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of MR.R.JANAKIRAM, Advocate for the petitioner and of M/S.R.VENKATESH, GOVERNMENT ADVOCATE on behalf of the Respondents the court made the following order:-

I have heard the learned counsel for the petitioners.

2. It is submitted by the learned counsel for the petitioners that the very same impugned order was the subject matter of challenge in W.P.No.30940 of 2016, in which, an order of interim stay had been granted and that the writ petition is still pending. It is also submitted that the petitioners are constrained to challenge the impugned order at this juncture because now the petitioners are summoned for an enquiry and that there is a threat of dispossession.

3. Following the earlier interim order, there will be an order of interim stay. Mr.R.Venkatesh, Government Advocate accepts notice for the respondents. Post on 16.12.2019 along with W.P.No.30940 of 2016.

-sd/-

02/12/2019

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SECRETARY,
STATE OF TAMILNADU
TO GOVERNMENT DEPARTMENT OF
REVENUE FORT.ST.GEORGE CHENNAI-9.

2 THE DISTRICT COLLECTOR
TIRUVANNAMALAI.

3 REVENUE DIVISIONAL OFFICER
O/O REVENUE DIVISIONAL OFFICER
TIRUVANNAMALAI- 606 601.

4 THE TAHSILDAR
TIRUVANNAMALAI- 606 601.

+4 C.C. to MR.B.JANAKIRAM, Advocate SR.NO.14348, 14349

The Government Advocate, High Court, Madras - 104.

Order
in

WP.Nos.33587 & 33593 of 2019
AND WMP.Nos.34052, 34055, 34061 & 34062 Of 2019
Date :02/12/2019

From 26.2.2001 the Registry is issuing certified
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