

ITEM NO.2 Court 9 (Video Conferencing) SECTION XII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 11520/2020

(Arising out of impugned final judgment and order dated 25-09-2019 in WP No. 238/2019 passed by the High Court of Judicature at Madras)

P.A. SHAHABUDEEN Petitioner(s)

VERSUS

THE DISTRICT COLLECTOR ERODE & ORS. Respondent(s)

(FOR ADMISSION and I.R. ECTS)

Date : 14-10-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE DINESH MAHESHWARI

For Petitioner(s) Mr. Rajul Srivastava, Adv.
Mr. K. Krishna Kumar, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

We have heard learned counsel for the petitioner.

It appears that there are directions issued by concerned authorities for removing encroachment but nothing transpired. An issue is also sought to be raised that there may be encroachments on water areas of adjacent river Bhavani and pattas cannot be allotted or occupation permitted in such lands.

A perusal of the impugned order shows that what has weighed with the High Court is that the encroachers belong to a poor section of the society and forthwith

removal of encroachments would not be possible especially as the Government stated that they were in the process of giving them alternative allotments. This order was passed on 25th September, 2019 and six months' time is what was stated by the Government for doing the needful. The petitioner contends that nothing has happened.

In view of the aforesaid, we consider appropriate to permit the petitioner to move an application in Writ Petition No.238 of 2019 for necessary action and it will be for the High Court to monitor the matter and take it to the logical conclusion in view of the earlier orders already passed on the subject matter by the High Court.

We dispose of the special leave petition in terms aforesaid.

Pending application, if any, shall also stand disposed of.

(ASHA SUNDRIYAL)
AR-CUM-PS

(ANITA RANI AHUJA)
ASSISTANT REGISTRAR