

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.8474 of 2014

1. K.Sathyannarayanaraj
2. K.S.Damodaran

... Petitioners

Vs.

1. The District Collector,
Thiruvallore District,
Thiruvallore.
2. The Revenue Divisional Officer,
Tirutani, Thiruvallore District.
3. The Tahsildar,
Pallipattu Taluk Office,
Thiruvallore District.
4. Inspector of Police,
R.K.Pet Circle,
R.K.Pet Police Station,
Thiruvallore District.

5. E.Mathivanan
6. K.Sengalvarayan
7. P.Kuppaiya
8. P.Kariyan
9. Kanthammal
10. Natesan
11. Kandan
12. Veerasamy
13. T.Govindan
14. Kalan
15. Ganesan

(R6 to R.15 impleaded as per the order of this Court dated 18.11.2015 in M.P.No.1 of 2015)

... Respondents

Prayer: Petitions are filed under Article 226 of The Constitution of India praying to issue a writ of mandamus forbearing the respondents 2 to 5 from interfering with the petitioners peaceful possession and enjoyment of the lands comprised in Survey Numbers 242/1 to 242/10, 247/1 to 247/7, 248/3 to 248/10 and 250/3 to 250/13, 251/1 to 251/6 and 253/1 to 253/3 situate at S.V.G. Puram Village Pallipattu Taluk Thiruvallore District except by due process of law.

For Petitioner : Mr.AR.L.Sundaresan senior counsel for
Mr. R.Bharath Kumar

For R1 to R4 : Mr.P.Sanjay Gandhi,
Additional Government Pleader
for R1 to 4

For impleading
respondents
(R6 to R.15) : Mr.Balan Haridas

ORDER

By consent, the writ petition itself is taken up for final disposal.

2. The petitioner claiming to have title to the properties has come forward to file this writ petition seeking direction to respondents from interfering with the possession and enjoyment of the lands comprised in Survey Numbers 242/1 to 242/10, 247/1 to 247/7, 248/3 to 248/10 and 250/3 to 250/13, 251/1 to 251/6 and 253/1 to 253/3 situate at S.V.G. Puram Village Pallipattu Taluk Thiruvallore District.

3. The impleaded respondents, namely, R6 to R15 claim to be the owners of the land.

4. A perusal of the proceeding dated 11.3.2014 would show that it is only a summons issued by the Tahsildar to resolve the dispute between the parties. It appears on that day that some of the parties have signed and it was counter signed by respondent No.3 as well as respondent No.4.

5. This is not a proceeding under Section 145 of Cr.P.C. If respondent No.3 is of the view that there is a likelihood of law and order problem, then certainly, the power lies with him to take appropriate action under Section 145 of Cr.P.C.

6. Therefore, writ petition stands disposed of giving liberty to respondent No.3 to take appropriate action in the manner known to law by following the procedure contemplated under Section 145 of Cr.P.C, if so required. No costs. Consequently, connected M.P.No.1 of 2014 is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Thiruvallore District,
Thiruvallore.
2. The Revenue Divisional Officer,
Tirutani, Thiruvallore District.
3. The Tahsildar,
Pallipattu Taluk Office,
Thiruvallore District.
4. Inspector of Police,
R.K.Pet Circle,
R.K.Pet Police Station,
Thiruvallore District.

+1cc to Mr.Balan Haridas, Advocate, S.R.No.62742
+1cc to Mr.R.Bharath Kumar, Advocate, S.R.No.62478

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CA(CO)
EU(21/12/2015)

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