

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.16916 of 2015 and M.P.No.1 of 2015

M.Chandramani

.. Petitioner

Vs.

1. The Tahsildar, Sathyamangalam, Erode District.

2. Anandan

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance a Writ of Mandamus to forbear the respondents from interfering with the petitioner's peaceful possession of the house site situated in S.No.332/1, Varadhampalayam Village, Sathyamangalam Taluk, Erode District, unless due process of law.

For Petitioner .. Mr.C.Prakasam

For Respondents .. Mr.R.A.S.Senthilvel, Addl.G.P. for R-1
Mr.K.N.Nataraja for R-2

ORDER

Alleging that the property, namely the house site situated in S.No.332/1, Varadhamapalayam Village, Sathyamangalam Taluk, Erode District, is sought to be interfered with by the respondents, by attempting to construct a Temple, the petitioner has filed this Writ Petition seeking to forbear the respondents from interfering with the petitioner's peaceful possession of the said property, unless by due process of law.

2. This Court cannot go into the dispute with regard to the property in question, as the prayer sought for in this Writ Petition requires factual adjudication based on oral and documentary evidence. However, the petitioner is permitted to make a representation before the first respondent-Tahsildar, putting-forth her case with regard to the contentions raised in this Writ Petition, within a period of two weeks from the date of receipt of a copy of this order; if such a representation is filed, the first respondent shall consider the

same, on merits and in accordance with law, within a period of four weeks from the date of filing of such representation. Before disposing of such representation, the first respondent-Tahsildar shall give an opportunity of hearing to the petitioner, second respondent and any other aggrieved party. Till such time the orders are passed on the said representation by the first respondent, the parties to the Writ Petition shall maintain status-quo as on today. The Writ Petition is disposed of accordingly. No costs. The Miscellaneous Petition is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

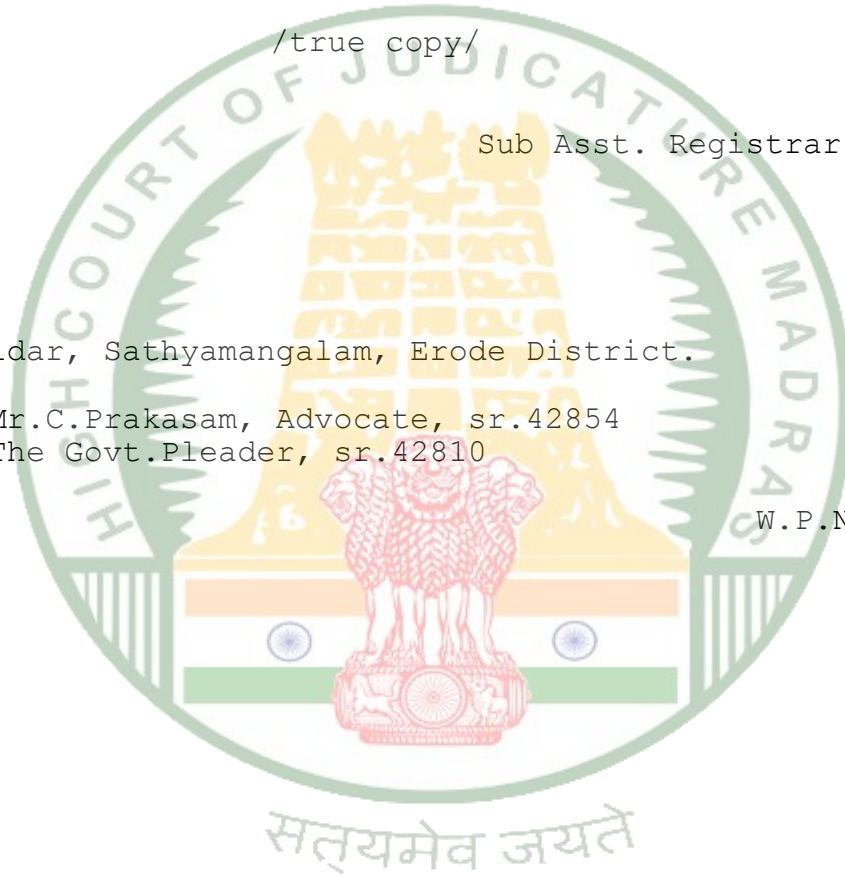
cs

To
The Tahsildar, Sathyamangalam, Erode District.

+1 cc to Mr.C.Prakasam, Advocate, sr.42854
+1 cc to The Govt.Pleader, sr.42810

W.P.No.16916 of 2015

rj(co)
kra(2/9)



सत्यमेव जयते

WEB COPY