

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.02.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.24194 of 2014

1.A.Annamalai

2.P.Selvaraji .. Petitioners

Vs.

1.The District Collector
Salem District at Salem.

2.The Block Development Officer
Thalaivasal Post, Manivilunthan Panchayat
Attur Taluk, Salem District.

3.The President,
Manivilunthan Panchayat
Manivilunthan Colony,
Attur Taluk, Salem District. .. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue Writ of mandamus to forbear the respondents from interfering with the petitioners' peaceful possession and enjoyment of the property in Survey No.234, to an extent of 2 acres of land, Survey No.233 to an extent of 1 ½ acres of land and Survey No.241 to an extent of 2 acres of land situated at Manivilunthan Village, Attur Taluk, Salem District, except due process of law.

For Petitioners : Mr.M.V.Muralidaran

For Respondents : Mr.R.Vijayakumar,
Addl.Govt.Pleader

O R D E R

By consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2.Heard Mr.M.V.Muralidaran, learned Counsel appearing for the petitioners and Mr.R.Vijayakumar, learned Additional Government Pleader, appearing for the respondents.

3.The petitioners have come forward with this Writ Petition for issuance of a writ of mandamus to forbear the respondents from interfering with their peaceful possession and enjoyment of the property in Survey No.234, to an extent of 2 acres of land, Survey No.233 to an extent of 1 ½ acres of land and Survey No.241 to an extent of 2 acres of land situated at Manivilunthan Village, Attur Taluk, Salem District, except due process of law.

4.According to the petitioners originally, the first petitioner's father and the second petitioner's grand father are the absolute owners of the property being agricultural land comprised in Survey Nos. 234, 233 and 241 and other various land properties situated at Manivilunthan Colony post, Attur Taluk, Salem District through registered Sale Deeds in Document Nos.1307/1964, 1441/1969 and 1837/1969, on the file of the Sub Registrar Office, Attur.

5.In the light of the fact that at the time when the Writ Petition came up for Admission, interim order of injunction was granted by this Court on 04.09.2014, first respondent is directed to consider the representation submitted by the petitioners dated 22.08.2014, and pass appropriate orders on merits and in accordance with law, after issuing notice to the petitioners as well as to respondents 2 & 3. Till orders are passed on the petitioners representation in terms of the above direction, status quo prevailing as on date shall continue.

The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Asst. Registrar.

/true copy/

Sub Asst. Registrar.

Rpa

To

1.The District Collector
Salem District at Salem.

2.The Block Development Officer
Thalaivasal Post, Manivilunthan Panchayt
Attur Taluk, Salem District.

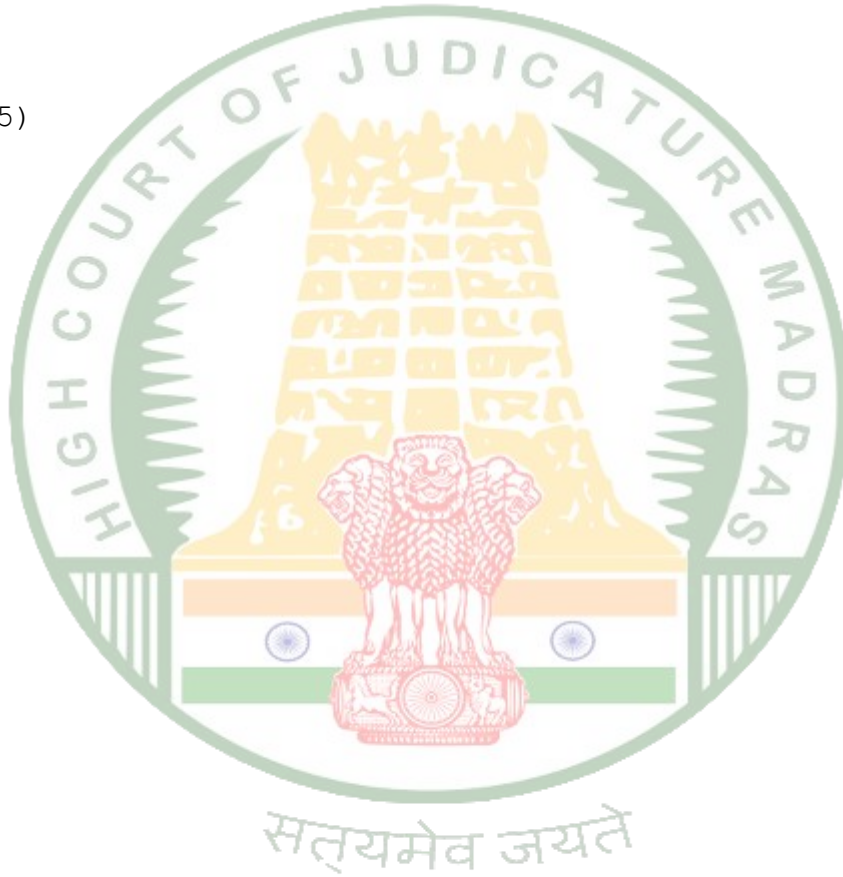
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3.The President,
Manivilunthan Panchayat
Attur Taluk, Salem District.

CCT to Mr.M.V.Muralidaran , Advocate, Sr.No.6611.

W.P. No.24194 of 2014

ACA (CO)
KP (24.02.2015)



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