

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

W.P.No.22646 of 2015

and M.P.No.1 of 2015

K.Dhanapal

.. Petitioner

Vs

1.The District Collector
Coimbatore
Coimbatore District.

2.The Revenue Divisional Officer
Coimbatore
Coimbatore District.

3.The Tahsildar
Coimbatore North Taluk Office
Coimbatore
Coimbatore District.

4.The Inspector of Police
B-6, Peelamedu Police Station
Coimbatore.

5.P.Arun Palanisamy

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for a writ of certiorari mandamus calling for the records pertaining to notice dated 30.06.2015 in Na.Ka.No.7621/2014/A1 on the file of the 2nd respondent and quash the same and consequently forbear the respondent from interfering with the petitioner's peaceful possession of land and building comprised in S.No.574/2A situated at Kalapatti Village, Coimbatore North Taluk, Coimbatore, Coimbatore District.

For Petitioner : Mr.K.Myilsamy

For R1 to R4 : Mr.Sanjay Gandhi, AGP

ORDER

This writ petition has been filed challenging the summons dated 30.06.2015 issued by the Revenue Divisional Officer [second

respondent herein], calling upon the petitioner to appear before him as he apprehends that there is likely to be breach of peace on account of some dispute between the petitioner and his opposite party.

2. In the considered opinion of this Court, a mere summons calling upon a party to appear should not be interfered with in exercise of writ jurisdiction, especially when the matter relates to breach of peace. Hence, this petition is disposed of with a direction to the second respondent to dispose of the proceedings, after giving due opportunity to both the parties within a period of three months from the date of receipt of a copy of this order. The petitioner shall also appear before the second respondent and submit the documents in support of his case. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

gms

To

1.The District Collector
Coimbatore
Coimbatore District.

2.The Revenue Divisional Officer
Coimbatore
Coimbatore District.

3.The Tahsildar
Coimbatore North Taluk Office
Coimbatore
Coimbatore District.

4.The Inspector of Police
B-6, Peelamedu Police Station
Coimbatore.

+1 cc to Mr.K.Myilsamy, Advocate, sr.40677
+1 cc to The Government Pleader, sr.46924

ksj(co)
kra(26/08)

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