

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.11.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.30499 of 2015 &
M.P.No.1 of 2015

Lalitha Ammal

[PETITIONER]

Vs

1 The District Collector
Villupuram District, Villupuram.

2 The Assistant Commissioner (Land Reforms)
Villupuram.

3 The Tahsildhar
Ulundhurpettai Taluk
Villupuram District

[RESPONDENTS]

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue Writ of mandamus to forbear the respondents 2 and 3 herein from in any way interfering with the petitioners peaceful possession and occupation of the lands in S. Nos. 26 27 40/1 47/2 49/2 and 50 Poondi Village Ulundhurpettai Taluk Villupuram District unless by due process of Law.

For Petitioner : Mr.J.Jayendra Krishnan

For Respondents : Mr.R.Vijayakumar
Additional 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.J.Jayendra Krishnan, learned Counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the respondents.

3.The petitioner seeks for issuance of a writ of mandamus to forbear the respondents 2 and 3 herein from in any way interfering with the petitioners peaceful possession and

occupation of the lands in S. Nos. 26 27 40/1 47/2 49/2 and 50 Poondi Village, Ulundhurpettai Taluk, Villupuram District unless by due process of Law.

4. According to the petitioner, the land in question were owned by her husband who was cultivating the same and he died on 14.06.1982, leaving behind the petitioner and two sons as his legal heirs and the petitioner's elder son was looking after the property and he also died prematurely on 19.01.1999. The petitioner is stated to be cultivating the said land and there is threat of eviction at the hands of the second respondent and had initiated action to take possession of the land under the provisions of the Tamil Nadu Land Reforms Fixation of Sealing Act and she will be evicted.

5. The petitioner would state that patta has been issued in her the name bearing Patta No.123 in respect of Survey Nos.40 (1), 47(2), 49(2) & 50 of Poondi Village, Ulundurpet Taluk, Villupuram District and Patta No.119 has also been issued in respect of Survey Nos. 27 & 26 of the same village. Copies of 'adangal' and 'pazali' 1424, signed by the Village Administrative Officer of Poondi Village, Ulundurpet Taluk, Villupuram District were issued.

6. In the light of the above, the Writ Petition is disposed of by forbearing the respondents 2 and 3 from evicting the petitioner, without following due process of law. No costs. Consequently, connected Miscellaneous Petition is closed.
rpa

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

- 1 The District Collector
Villupuram District, Villupuram.
- 2 The Assistant Commissioner (Land Reforms)
Villupuram.
- 3 The Tahsildhar
Ulundhurpettai Taluk Villupuram District

+ 1 cc to Mr.S.V.karthikeyan, Advocate SR 59807

+ 1 cc to Govt.Pleader SR 60129

(co)
prk20/11

W.P. No.30499 of 2015