

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.08.2015

CORAM

THE HONOURABLE MR. JUSTICE N. KIRUBAKARAN

W.P. No. 8313 of 2015

&

M.P. Nos. 1 & 2 of 2015

R. Ummar Khan

..Petitioner

Vs.

1. The District Collector,
Tiruvannamalai District,
Tiruvannamalai.

2. The Tahsildar,
Chengam Taluk,
Tiruvannamalai District.

3. The Block Development Officer,
Chengam Panchayat,
Tiruvannamalai District.

4. Kanchana

..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus forbearing the respondents from acquiring or converting the petitioner's patta land situated in Survey No. 105/1, to an extent of 11.50 Ares, Survey No. 105/2 to an extent of 57.00 Ares, Survey No. 105/9 to an extent of 16.50 Ares, Survey No. 105/7C to an extent of 14.0 Ares and Survey No. 105/7B to an extent of 0.16 cents at Quilam Village, Chengam Taluk, Tiruvannamalai District into burial ground except by due process of law.

For Petitioner

:: Mr.M.V.Muralidaran

For Respondents

:: Mr.V. Jayaprakash
Narayanan,
Spl. Govt.Pleader for
R1 to R3

O R D E R

This writ petition is filed for issue of a Writ of Mandamus forbearing the respondents from acquiring or converting the petitioner's patta land situated in Survey No. 105/1, to an extent of 11.50 Ares, Survey No. 105/2 to an extent of 57.00 Ares, Survey No.

105/9 to an extent of 16.50 Ares, Survey No. 105/7C to an extent of 14.0 Ares and Survey No. 105/7B to an extent of 0.16 cents at Quilam Village, Chengam Taluk, Tiruvannamalai District into burial ground except by due process of law.

2. Though the learned counsel for the petitioner submitted that the petitioner apprehends that the respondent Government may acquire his lands without resorting to land acquisition proceedings, the learned counsel is unable to show, on what basis, the petitioner entertains such an apprehension. Based on assumption and presumption, relief cannot be granted. Hence, the writ petition fails and the same is dismissed. No costs. Connected M.P. are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nv

To

1. The District Collector,
Tiruvannamalai District,
Tiruvannamalai.
2. The Tahsildar,
Chengam Taluk,
Tiruvannamalai District.
3. The Block Development Officer,
Chengam Panchayat,
Tiruvannamalai District

+1cc to Mr.M.V.Muralidaran, Advocate, S.R.No.40326

+1cc to the Government Pleader, S.R.No.40437

CNR(CO)
EU(20/08/2015)

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