



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD).No.12426 of 2015

P.Ramalakshmi

...Petitioner

Vs

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Madurai North Taluk,
Madurai District.

3.The Tahsildar,
Vadipatti Taluk
Madurai District.

4.The Block Development Officer,
Vadipatti East,
Vadipatti Taluk, Madurai District.

5.The President,
Mullipallam Village Panchayat,
Vadipatti Taluk, Madurai District,
Madurai District.

6.Devendra Kula Vellalar Uravinmurai Sangam,
rep.by its President,
Mani,
Mullipallam Village,
Vadipatti Taluk,
Madurai District.

...Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned proceedings vide O.Mu.No.4080/2015/A dated 28.05.2015 on the file of the second respondent, quash the same and further direct the respondents 1 to 5 to take appropriate proceedings to restore the possession of the land in Old S.No.22/4A, New R.S.No.554/44 in Mullipallam Village, Vadipatti Taluk Madurai District to the petitioner.

For Petitioner : M/s.N.Karthik Kanna

For R.1 to 5 : Mr.M.Murugan

Govt.Advocate takes notice

ORDER

The petitioner has come forward with this Writ Petition praying for a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned proceedings vide O.Mu.No.4080/2015/A dated 28.05.2015 on the file of the second respondent, quash the same and further direct the respondents 1 to 5 to take appropriate proceedings to restore the possession of the land in Old S.No.22/4A, New R.S.No.554/44 in Mullipallam Village, Vadipatti Taluk Madurai District to the petitioner. By the said order, the Revenue Divisional Officer, Madurai District, the second respondent herein requested the Tahsildar, the third respondent herein, Madurai District, to take necessary action for removing the encroachments made in the lands in question

2. M.Murugan, learned Government Advocate takes notice for the official respondents 1 to 5.

3. By consent, this Writ Petition itself is taken up for final disposal.

4. The learned counsel appearing for the petitioner would submit that the Petitioner claims the land in question by way of a registered sale deed. Ever since from the date of the said sale deed, the Petitioner has been in possession of the property in question. However, the respondents without following due process of law, in a straight-jacket manner, are trying to evict the petitioner. Therefore, the Petitioner is before this Court praying that her possession need not be disturbed by the official respondents herein.

5. The learned Government Advocate appearing for the official respondents would submit that the representation of the petitioner will be considered in accordance with law.

6. In such view of the matter, without going into the merits of the claim made by the petitioner in this Writ Petition, the first and the third respondents are directed to pass appropriate orders on the representation of the petitioner, dated 25.06.2015 on merits and in accordance with law, after giving notice to the petitioner, the sixth respondent herein as well as any of the interested parties, within a period of two months from the date of receipt of a copy of this order. The petitioner is directed to send a copy of the representation dated 25.06.2015 to the first respondent for proper follow up. The Petitioner shall produce necessary documents before the authorities concerned so as to prove her claim that she is not an encroacher. Till the respondents pass an order, the impugned order shall be kept in abeyance and the possession of the petitioner need not be disturbed by them.

With the above direction, this Writ Petition stands disposed of. No costs. Consequently, the conneted miscellaneous petitions are closed.

Sd/-
Assistant Registrar



To

1.The District Collector,
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Madurai.

2.The Revenue Divisional Officer,
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Madurai District.

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Madurai District.

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Mani, Mullipallam Village,
Vadipatti Taluk, Madurai District.

+1cc to M/S..N.Karthik Kanna, Advocate, in SR.No. 39865

TS/27.07.2015/3P - 8C

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