



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2015

CORAM:

THE HONOURABLE MR. JUSTICE K. RAVICHANDRA BAABU

W.P. (MD) No. 20089 of 2015

and

M.P. No. 1 of 2015

V. Maria Lily Jackulin,
W/o. Victor Amalathan,
Represented by her power of Attorney,
Victor Amalathan,
S/o. Kulanthaisamy Udaiyar,
Muthantipatti Post, Pudupatti,
Boothaloor Taluk, Thanjavur District 613 402. : Petitioner

Vs.

1. The District Collector,
Thanjavur District.

2. The Tahsildar,
Boothalur Taluk Office,
Thanjavur District.

3. The District Revenue Officer,
Thanjavur District.

4. The Commissioner,
Boothalur Panchayat Union,
Thanjavur District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus forbearing the respondents 3 and 4 herein from disturbing the petitioner's rights, possession and enjoyment in S.F.No.192-B/18, 193/25 & 193/26, Muthantipatti Post, Pudupatti, Boothaloor Taluk, Thanjavur District - 613 402, by storing any sand, bricks or any building materials in the name of putting up fence with stone by considering the petitioner's representation dated 24.09.2015.

For Petitioner : Mr. R. Sureshkumar
For Respondent Nos. 1 to 3 : Mr. S. Kumar
Additional Government Pleader
For Respondent No. 4 : Mr. R. Karthikeyan
Additional Government Pleader

O R D E R

<https://hcservices.ecourts.gov.in/hcservices/> Mr. S. Kumar, the learned Additional Government Pleader, takes notice for the respondent Nos. 1 to 3. Mr. R. Karthikeyan, the learned Additional Government Pleader, takes notice for the fourth respondent. By consent,



the Writ Petition is taken up for disposal at the stage of admission itself.

2. The petitioner seeks for a Writ of Mandamus forbearing the respondents 3 and 4 herein from disturbing her right, possession and enjoyment in respect of the subject matter of property in S.F.No.192-B/18, 193/25 & 193/26, Muthantipatti Post, Pudupatti, Boothaloor Taluk, Thanjavur District - 613 402, by storing any sand, bricks or any other building materials.

3. The grievance of the petitioner is that under the guise of putting up fence, the above authorities are storing the sand, bricks and other building materials in the property of the petitioner, thereby preventing his right and possession over the same. It appears that the petitioner has already made a representation on 24.09.2015 ventilating her grievance.

4. Whether the allegation of the petitioner is true or not is for the authorities concerned to consider and decide the same by making spot inspection, if necessary. Therefore, without expressing any view on the merits and contentions raised by the petitioner, I only direct the fourth respondent to consider the representation of the petitioner, dated 24.09.2015, and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

NB

To

1.The District Collector, Thanjavur District.

2.The Tahsildar, Boothalur Taluk Office,
Thanjavur District.

3.The District Revenue Officer, Thanjavur District.

4.The Commissioner, Boothalur Panchayat Union,
Thanjavur District.

+1CC to Mr.R.Suresh Kumar Advocate Sr.No.65183

+1CC to Spl.Government Pleader Sr.No.65291

NS/SK/SKN/18.11.2015-2P-7C

ORDER MADE IN
W.P. (MD) No.20089 of 2015
DATED - 05.11.2015