

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.24900 of 2016

And

W.M.P.No.21270 of 2016

V.Sumathi

... Petitioner

Vs.

1.The District Collector,
Tiruppur District,
Tiruppur.

2.The Tahsildar,
Palladam Taluk,
Tiruppur District.

3.The Superintending Engineer,
Highways Department,
Tiruppur.

4.The Divisional Engineer,
Highways Department,
College Road,
Tiruppur 641 602.

5.The Assistant Divisional Engineer,
Highways Department,
Palladam,,
Tiruppur District.

6.The Assistant Engineer,
Highways Department,
Palladam,
Tiruppur District.

7.The Commissioner,
Palladam Municipality,
Palladam,
Tiruppur District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents not to resort to any forceful or illegal eviction of the petitioner from his property

in S.F.No.600/1 situated at Palladam, Naranapuram Village, Palladam Municipality, Palladam Taluk, Tiruppur District, without measuring and fixing the boundaries as found in the records and the petitioner's title deeds after issuing notice to the petitioner in accordance with law.

For Petitioner : Mr.M.Purushothaman
For Respondents : Mr.R.Vijayakumar
Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner claims to be the owner of the property admeasuring an extent of 663 sq.ft in S.F.No.600/1 situated at Naranapuram Village, Palladam Municipality, Palladam Taluk, Tiruppur District through a registered sale deed bearing document no.12806 of 2012, dated 22.08.2012, registered on the file of the Sub Registrar, Palladam. The petitioner would further claim that the said property is also subjected to statutory levies.

3.The grievance expressed by the petitioner is that the officials of the Highways Department, all of a sudden are disturbing the possession of the petitioner under the pretext of constructing stream water drain. The petitioner in this regard, has submitted representation dated 08.07.2016, to the respondents and since no response is forthcoming, came forward to file this writ petition.

4.Heard the submissions of Mr.M.Purushothaman, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader who accepts notice on behalf of the respondents.

5.Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the fifth respondent to consider and dispose of the petitioner's representation dated 08.07.2016, in accordance with law and pass orders, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner and till then, shall not disturb the possession of the petitioner in respect of the property in question.

6.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

To

1.The District Collector,
Tiruppur District,
Tiruppur.

2.The Tahsildar,
Palladam Taluk,
Tiruppur District.

3.The Superintending Engineer,
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6.The Assistant Engineer,
Highways Department,
Palladam,
Tiruppur District.

7.The Commissioner,
Palladam Municipality,
Palladam,
Tiruppur District.

+2 cc's to Mr.M.Purushothaman, advocate,sr.40313

+1 cc to Govt.Pleader,sr.40855.

mg(co)
krd 22/7

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