

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.08.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.27669/2016 & WMP.No.23836/2016

Arumugam

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Petitioner

Vs.

1.The District Collector
Villupuram.

2.The District Revenue Officer
Villupuram.

3.The Tahsildar
Thirukovilure Taluk
Thirukovilure, Villupuram District.

4.The District Education Officer
Villupuram.

5.The President
Ariyur Village Panchayat
Thirukovilure Taluk
Villupuram District.

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Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus forbearing the respondents herein from in any manner dispossessing the petitioner from the land in S.No.356/5, Ariyur Village, Thirukovilure Taluk, Villupuram District, unless by following the due process of law.

For Petitioner : Mr.S.V.Karthikeyan

For RR 1 to 4 : Mr.R.A.S.Senthilvel, AGP

For R5 : Mr.K.Balamurugan

O R D E R

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

the lands in Survey No.355/7A situate at Ariyur Village and adjacent to the said lands, there is a waster land in S.No.356/5 and his ancestors were in possession and enjoyment of the same and the petitioner also continues to be in possession and enjoyment of the said land and is also cultivating the crops and all of a sudden, without putting the petitioner on notice, the 3rd respondent is attempting to dispossess the petitioner from the lands in S.No.356/5 and in this regard, the petitioner has submitted a representation dated 25.07.2016 to the office of the District Collector, Villupuram - 1st respondent herein and though it was received and acknowledged, threat of dispossession continues and hence, the petitioner came forward to file the present writ petition.

3 Heard the submissions of the learned counsel for the petitioner and Mr.R.A.S.Senthilvel, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 to 4 and Mr.K.Balamurugan, learned counsel who accepts notice on behalf of the 5th respondent.

4 Though the petitioner has 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, either in his representation or in this writ petition, directs the 3rd respondent to consider and dispose of the petitioner's representation dated 25.07.2016, on merits and in accordance with law and pass orders within a period of six 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 dispossess the petitioner from the lands in S.No.356/5. It is also made clear that in the interregnum, the petitioner shall not create any third party rights in respect of the said land in question.

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

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector
Villupuram.

2.The District Revenue Officer
Villupuram.

3.The Tahsildar
Thirukovilure Taluk
Thirukovilure, Villupuram District.

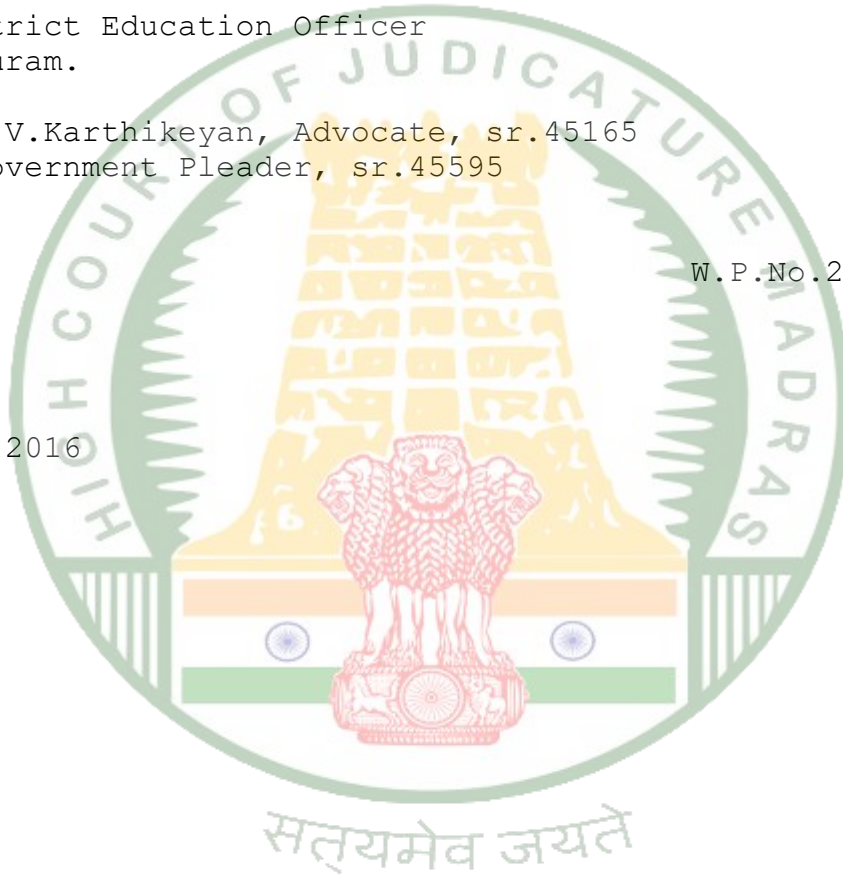
4.The District Education Officer
Villupuram.

1 cc to S.V.Karthikeyan, Advocate, sr.45165

1 cc to Government Pleader, sr.45595

W.P.No.27669/2016

ctk co
kra 02.09.2016



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