



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P. [MD].No.19987 of 2015

and

M.P. (MD) .No.2 of 2015

- 1.Meenakshi Sundaram
- 2.Ramachandran
- 3.Ramapalaniyappan

.. Petitioners

Vs.

- 1.The District Collector,
Pudukkottai District.
- 2.The Tahsildar,
Thirumayam & Taluk,
Pudukkottai District.
- 3.Commissioner,
Block Development Officer,
Thirumayam Panchayat Union,
Thirumayam Taluk,
Pudukkottai District.
- 4.The Managing Director,
TNSTC Kumbakonam,
Tanjore District.
- 5.The Chief Engineer (PWD),
Building Construction and Maintenance,
Trichy.
- 6.The Superintending Engineer (PWD),
Building Construction and Maintenance,
Trichy.
- 7.The Executive Engineer (PWD),
Building Construction and Maintenance,
Opp. New Municipality Office,
Pudukkottai.



8.The Assistant Executive Engineer (PWD),
Building Construction and Maintenance,
Thirumayam Taluk,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents from interfering with the petitioners' peaceful possession and enjoyment of S.No.11, Kallankuthu Poromboke over an extent of 4.88.5 hectares, Moongithapatti Village, Thirumayam Taluk, Pudukkottai District.

For Petitioners	: Mr.N.Balakrishnan
For respondents	: Mr.T.R.Janarthanam,
1 to 3, 5 to 8	Addl. Government Pleader
For 4 th respondent	: Mr.D.Sivaraman

O R D E R

[Order of the Court was made by **S.NAGAMUTHU, J.**]

The petitioners have come up with this Writ Petition seeking to forbear the respondents from interfering with their peaceful possession and enjoyment of S.No.11, Kallankuthu Poromboke, over an extent of 4.88.5 hectares, Moongithapatti Village, Thirumayam Taluk, Pudukkottai District.

2.We have heard the learned counsel on either side.

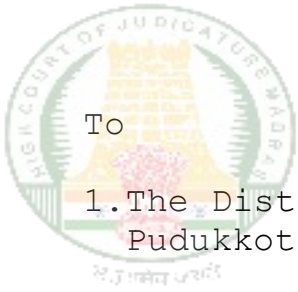
3.When it was pointed out to the learned counsel for the petitioners that the question of possession is a disputed fact and the same can be decided only by the Civil Court, the learned counsel for the petitioners submitted that he would not press this petition and he would seek liberty to work out the remedy elsewhere. He has also made an endorsement to that effect.

4.The General Manager of the Tamil Nadu State Transport Corporation, Kumbakonam Limited has filed a counter, wherein he has stated that the land in dispute is not in the occupation of the petitioners and that as a matter of fact, several public buildings have already been constructed on the said land. At any rate, as per the endorsement made by the learned counsel for the petitioners, this Writ Petition is dismissed as not pressed, leaving it open to the petitioners to work out their remedy elsewhere in the manner known to law. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(AS)

/True copy/



To

1. The District Collector,
Pudukkottai District.

2. The Tahsildar,
Thirumayam & Taluk,
Pudukkottai District.

3. Commissioner,
Block Development Officer,
Thirumayam Panchayat Union,
Thirumayam Taluk,
Pudukkottai District.

4. The Managing Director,
TNSTC Kumbakonam,
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5. The Chief Engineer (PWD),
Building Construction and Maintenance,
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Building Construction and Maintenance,
Trichy.

7. The Executive Engineer (PWD),
Building Construction and Maintenance,
Opp. New Municipality Office,
Pudukkottai.

8. The Assistant Executive Engineer (PWD),
Building Construction and Maintenance,
Thirumayam Taluk,
Pudukkottai District.

+1 cc to The Special Government Pleader in SR.No.65322

GCG

CSL/SS-2/18.11.2016 :3P/10C

Order made in
W.P. [MD].No.19987 of 2015
02.11.2016