



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 03.08.2017

CORAM :

WEB COPY

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.17046 of 2014
and
M.P(MD)Nos.1 of 2014

K.Shanmugasundaram

... Petitioner

Vs.

The Joint Commissioner,
HR&CE Department,
A/m.Sri Ranganatha Swamy Thirukovil,
Srirengam, Trichy - 6.

... Respondent

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the respondent not to evict the petitioner unless due process of law in T.S.No.2204 in Ward 2 Velimutham Village, Srirangam Town to an extent of 23 cents pursuant to the representation dated 13.10.2014 on the file of the respondent herein.

For Petitioner : Mrs.R.Yamuna
For Respondent : Mr.K.Govindarajan

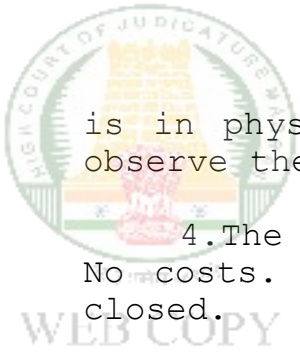
O R D E R

(Order of the Court was made by G.R.SWAMINATHAN, J.)

This writ petitioner prays for issuance of writ of mandamus directing the respondents not to evict him except under due process of law.

2.The writ petitioner claims that he is in possession of an extent of 23 cents of the land in T.S.No.2204 in Ward 2 Velimutham Village, Srirangam Town. He had given a representation dated 13.10.2014.

3.The respondent has filed counter affidavit contending that the writ petitioner is a total stranger and that there is no house as claimed by him in the subject land. The claim of possession by the writ petitioner is also strongly denied. Since there are factual disputes, it is not possible for this Court to grant the relief sought for. It is always open to him to work out his rights, if any, in the manner known to law. If really, the writ petitioner



is in physical possession, any statutory authority is expected to observe the due process of law.

4. The writ petition is disposed of with the above observation. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

The Joint Commissioner,
HR&CE Department,
A/m. Sri Ranganatha Swamy Thirukovil,
Srirengam, Trichy - 6.

+ 1 CC TO Mr. R. YAMUNA, ADVOCATE IN SR No. 70434
+ 1 CC TO Mr. K. GOVINDARAJAN, ADVOCATE IN SR No. 70399

SKM/TSG
TE/MR-KKR/SAR-II : 24/08/2017 : 2P/4C

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