



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.12606 of 2017
and
W.M.P. (MD) .No.9722 of 2017

R.Chinnasamy

.. Petitioner

Vs.

1. The District Collector,
Theni District, Theni.
2. The District Revenue Officer,
District Collector Office, Theni,
Theni District.
3. The Tahsildar,
Taluk Office, Periyakulam,
Theni District.

4.P.Rani

.. Respondents

[R-4 impleaded suo mout vide order dated 19.07.2017]

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to grant Rs.5,00,000/- as compensation to the petitioner for having illegally destroyed the banana plantation on 19.06.2017 in S.No.1513, to an extent of 0.35 Hectares equal to 0.86 cents of land situated at Vadaveeranayackanpatti, Thenkarai, Periyakulam Taluk, Theni District and consequently direct the respondents not to interfere with the petitioner's peaceful possession and enjoyment of the land in S.No.1513, to an extent of 0.35 Hectares equal to 0.86 cents of land situated at Vadaveeranayackanpatti, Thenkarai, Periyakulam Taluk, Theni District, unless by due process of law.

For petitioner

: Mr.Siva

For Mr.R.Vijayakumar

For respondents 1 to3

: Mr.M.Govindan

Special Government Pleader

For Respondent No.4

: Mr.R.Murali

**O R D E R**

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner filed this Writ Petition to direct the respondents to pay him compensation on account of the removal of the plantation grown by him in S.No.1513, to an extent of 0.35 Hectares situated at Vadaveeranayackanpatti, Thenkarai, Periyakulam Taluk, Theni District.

2. The learned counsel for the petitioner submitted that the issue regarding the compensation has already been settled between the parties. The only other prayer relates to interference in the peaceful possession and enjoyment of the land in question by the respondents.

3. We make it clear that the petitioner shall be evicted only by resorting to a procedure known to law.

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

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Theni District, Theni.
2. The District Revenue Officer,
District Collector Office, Theni,
Theni District.
3. The Tahsildar,
Taluk Office, Periyakulam,
Theni District.

+1cc to Mr.R.Vijayakumar, Advocate in SR.No.73422

+1cc to Mr.R.Murali, Advocate in SR.No.73527

+1cc to The Special Government Pleader in SR.No.73916

NB

AE/KP/SAR1/01.09.2017/2P/7C