



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:08.09.2017

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CORAM:

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

W.P.(MD)Nos.14192, 14193, 14195, 14196 to 14199 of 2016
and

W.M.P.(MD).Nos.10531, 10532, 10534 to 10538 of 2016

J.John Xavier	: Petitioner in WP(MD)No.14192/2016
Kulanthai Theras	: Petitioner in WP(MD)No.14193/2016
I.Selvi	: Petitioner in WP(MD)No.14195/2016
I.Iruthayamarry	: Petitioner in WP(MD)No.14196/2016
I.Mariammal	: Petitioner in WP(MD)No.14197/2016
I.Savarimuthu	: Petitioner in WP(MD)No.14198/2016
I.S.Antony Peter	: Petitioner in WP(MD)No.14199/2016

Vs.

1. The District Collector,
Trichy District,
Trichy.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Trichy.
3. The Tahsildar,
Manapparai Taluk Office,
Manapparai,
Trichy District.
4. The Block Development Officer,
Block Development Office,
Vaiyampatti Panchayat,
Vaiyampatti,
Manapparai Taluk,
Trichy District.

: Respondents in all WPs

Prayer in WP(MD)No.14192/2016:

<https://hcservices.ecourts.gov.in/hcservices/> Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents 1 to 4, their subordinates and officials from anyway interfering with



the peaceful possession and enjoyment of the petitioner in the property situated in Survey No.218/3, Resurvey No.457/15 to an extent of 0.0100 Sq.mtr., (1077 Sq.ft.), Sekkanam Village, Karungulam, Manapparai Taluk, Trichy District and not to dispossess the petitioner or demolish the house except under due process of law.

Prayer in WP(MD)No.14193/2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents 1 to 4 their subordinates and officials from anyway interfering with the peaceful possession and enjoyment of the petitioner in the property situated in Survey No. 218/3, Resurvey No. 451/23 to an extent of 0.00.36 acres Sekkanam Village, Karungulam, Manapparai Taluk Trichy District and not to dispossess the petitioner or demolish the house except under due process of law.

Prayer in WP(MD)No.14195/2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF MANDAMUS forbearing the respondents 1 to 4, their subordinates and officials from anyway interfering with the peaceful possession and enjoyment of the petitioner in the property situated in Survey No.218/3, Resurvey No.451/52 to an extent of 0.00.69 Ares, Sekkanam Village, Karungulam, Manapparai Taluk, Trichy District and not to dispossess the petitioner or demolish the house except under due process of law.

Prayer in WP(MD)No.14196/2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF MANDAMUS forbearing the respondents 1 to 4, their subordinates and officials from anyway interfering with the peaceful possession and enjoyment of the petitioner in the property situated in Survey No.218/3, Resurvey No.452/19 to an extent of 0.00.37 Ares, Sekkanam Village, Karungulam, Manapparai Taluk, Trichy District and not to dispossess the petitioner or demolish the house except under due process of law.

Prayer in WP(MD)No.14197/2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF MANDAMUS forbearing the respondents 1 to 4, their subordinates and officials from anyway interfering with the peaceful possession and enjoyment of the petitioner in the property situated in Survey No.218/3, Resurvey No.457/2 to an extent of 0.00.54 Ares, Sekkanam Village, Karungulam, Manapparai Taluk, Trichy District and not to dispossess the petitioner or demolish the house except under due process of law.

**Prayer in WP(MD)No.14198/2016 :**

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the respondents 1 to 4, their subordinates and officials from anyway interfering with the peaceful possession and enjoyment of the petitioner in the property situated in Survey No.218/3 to an extent of 0.00.60 Ares Sekkanam Village, Karungulam, Manapparai Taluk, Trichy District and not to dispossess the petitioner or demolish the house except under due process of law.

Prayer in WP(MD)No.14199/2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents 1 to 4 their subordinates and officials from anyway interfering with the peaceful possession and enjoyment of the petitioner in the property situated in Survey No.218/3, Resurvey No.457/23 to an extent of 0.00.92 acres Sekkanam Village, Karungualm, Manapparai Taluk Trichy District and not to dispossess the petitioner or demolish the house except under due process of law.

For Petitioner	: Mr.C.Jeyaprakash in all the petitions
For Respondents 1 to 3	: Mr.T.S.Md.Mohideen Additional Government Pleader in all the petitions
For Respondent No.4	: No Appearance in all the petitions

O R D E R

[Order of the Court was made by G.R.SWAMINATHAN, J.]

In all these writ petitions, the petitioners expressed their apprehension that they would be dispossessed arbitrarily by the authorities

2.The petitioners claim that they are in settled possession of the land in question. It is made clear that if the authorities seek to remove the writ petitioners from their possession and enjoyment of the property in question, on the ground that it is an encroachment, the authorities shall follow the provisions set out in the concerned statute. In other words, without issuing notice and holding an enquiry the question of dispossessing the writ petitioners herein will not arise. Till the authorities take a decision in the matter and pass final orders, the status quo obtaining today shall be maintained.



3. With these observations and directions, all these writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Trichy District,
Trichy.
 2. The Revenue Divisional Officer,
Revenue Divisional Office,
Trichy.
 3. The Tahsildar,
Manapparai Taluk Office,
Manapparai,
Trichy District.
 4. The Block Development Officer,
Block Development Office,
Vaiyampatti Panchayat,
Vaiyampatti,
Manapparai Taluk,
Trichy District.
- + 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR Nos. 78014 to 78017,
78019 to 78021
- + 7 CC TO Mr.S.MUTHUKUMAR, ADVOCATE IN SR Nos. 77883,77884, 77886 TO
77890

TSG
TE/KP/SAR-I : 10/11/2017 : 4P/13C

Order made in
W.P. (MD) Nos.14192, 14193, 14195,
14196 to 14199 of 2016
dated:08.09.2017