



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.16261 of 2016

and

W.M.P. (MD) No.11900 & 11901 of 2016

1.Andiya Gounder

2.Raman

... Petitioners

Vs.

1.The State of Tamil Nadu

Rep. by its Secretary,

Land Reforms,

Fort St. George,

Chennai.

2.The District Collector,

Tiruchirappalli District,

Tiruchirappalli.

3.The Revenue Divisional Officer,

Revenue Divisional Office,

Tiruchirappalli.

4.The Tahsildar,

Manapparai Taluk,

Manapparai,

Tiruchirappalli District.

5.The Revenue Inspector,

Pannapatti,

Manapparai Taluk,

Tiruchirappalli District.

6.The Village Administrative Officer,

36F, Keelaiyur Village,

Manapparai Taluk,

Tiruchirappalli District.

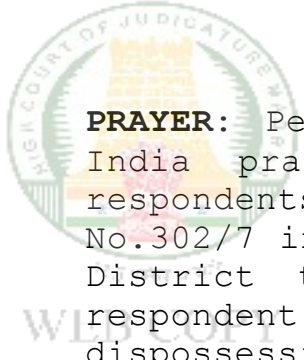
7.The Commissioner,

Manapparai Panchayat Union,

Manapparai,

Tiruchirappalli District.

... Respondents



PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to restore the possession of the property in Survey No.302/7 in F-Keelaiyur Village, Manapparai Taluk, Tiruchirappalli District to the petitioners and further directing the first respondent to conduct an enquiry regarding the illegal dispossession of the petitioners made on 13.08.2016 and to direct the respondents jointly or severally to pay the compensation of Rs.5 lakhs for demolition of the house and also for the destruction of 200 standing lemon trees in Survey No.302/7 in F-Keelaiyur Village, Manapparai Taluk, Tiruchirappalli District.

For Petitioners: Mr.G.Sridharan

For R1 to 6 : Mr.M.Govindan
Special Government Pleader

For R7 : No appearance

O R D E R

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

The petitioner filed this writ petition for issuance of a Writ of Mandamus directing the respondents to restore the possession of the land in Survey No.302/7, F-Keelaiyur Village, Manapparai Taluk, Tiruchirappalli District, which was taken possession without passing final order.

2.This matter was argued at length, on an earlier occasion. When it was pointed out to the Tahsildar, Manaparai Taluk, who appeared before this Court in person whether it was proper on his part to demolish the superstructure, without even passing final order and service of the same on the petitioner, the Tahsildar informed us that he would restore the possession to the petitioner without prejudice to the further action to be taken in the matter.

3.The Tahsildar, Manapparai Taluk, Tiruchirappalli District, who is present before this Court today, submitted that he would hand over the possession to the petitioner forthwith without prejudice to his right to take further action in accordance with law. The said submission is recorded.

4.Since the Tahsildar, Manapparai Taluk, has realised the mistake in demolishing the house and taking possession of the petitioner's land, without passing final orders, no further adjudication is required in this writ petition. The Jurisdictional Tahsildhar is directed to put the petitioner in possession forthwith. However, we make it clear that this order would not stand in the way of the



statutory authority from taking action in accordance with law.

5. The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petitions are closed.

WEB COPY

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary,
State of Tamil Nadu,
Land Reforms, Fort St. George, Chennai.
2. The District Collector,
Tiruchirappalli District, Tiruchirappalli.
3. The Revenue Divisional Officer,
Revenue Divisional Office, Tiruchirappalli.
4. The Tahsildar,
Manapparai Taluk,
Manapparai, Tiruchirappalli District.
5. The Revenue Inspector,
Pannapatti,
Manapparai Taluk, Tiruchirappalli District.
6. The Village Administrative Officer,
36F, Keelaiyur Village,
Manapparai Taluk,
Tiruchirappalli District.

+1cc to M/S.G.SRIDHARAN, Advocate SR.No.78480

NS/rmk

MAS/SV-MMS/SAR3:11.10.2017:3P-8C

ORDER MADE IN
W.P. (MD) No.16261 of 2016
and
W.M.P. (MD) No.11900 & 11901 of 2016
13.09.2017