



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P (MD) No.4029 of 2013andMP (MD) Nos.1 of 2013 and 1 of 2014

N.Alagumalai

... Petitioner

-vs-

1.The Executive Engineer and
Administrative Officer,
Tamil Nadu Housing Board,
Ellisnagar,
Madurai.

2.The Revenue Divisional Officer,
Madurai Division,
Madurai - 625 020.

3.The Special Tahsildar (LA),
South Neighbourhood Scheme,
Ramanathapuram Collectorate Building,
Madurai.

4.The Tahsildar,
Madurai South,
Madurai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the first respondent herein from interfering with the peaceful possession and enjoyment of the petitioner in the land situated in S.No.42/3 and 42/4 of Thoppur village, Madurai South Taluk, Madurai District measuring to an extent of 1.52 $\frac{3}{4}$ acres of land without due process of law.

For Petitioner : Mr.K.Bhaskaran
For R1 : Mr.T.S.Mohammed Mohideen
Standing Counsel.
For R2-4 : Mr.T.R.Janarthanan,
Additional Government Pleader.

O R D E R

<https://hcservices.ecourts.gov.in/hcservices/> This writ petition has been filed seeking issuance of a Writ of Mandamus, forbearing the first respondent from interfering with the peaceful possession and enjoyment of the petitioner in



the land situated in S.No.42/3 and 42/4 of Thoppur Village, Madurai South Taluk, Madurai District, measuring to an extent of 1.52 $\frac{3}{4}$ acres, without due process of law.

2. Heard the learned counsel appearing for the petitioner, the learned Standing Counsel for the first respondent and the learned Additional Government Pleader for the respondents 2 to 4.

3. The grievance of the petitioner is that the third respondent has made interference with the peaceful possession and enjoyment of the property of the petitioner without due process of law based on the proceedings issued by the second respondent dated 05.08.2010, wherein it is stated that the property in dispute was acquired for the purpose of establishment of Tamil Nadu Housing Board. Hence, the petitioner has come before this Court with the above prayer.

4. Considering the fact that civil rights are involved in this writ petition, this writ petition is disposed of leaving it open to the parties to approach the competent civil Court to establish their respective right. No costs. Consequently, MP(MD) Nos.1 of 2013 and 1 of 2014 are closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Madurai Division,
Madurai - 625 020.

2. The Special Tahsildar (LA),
South Neighbourhood Scheme,
Ramanathapuram Collectorate Building,
Madurai.

3. The Tahsildar,
Madurai South, Madurai.

+1cc to Special Government Pleader, SR.No. 89941

W.P(MD) No.4029 of 2013

24.11.2017