

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.3644 of 2017

ORDER:

1. This writ petition is filed by petitioner seeking to direct respondents Nos.2 and 3 not to interfere with the Kalyana Mandapam being run by the petitioner-society, without following the due process of law.

2. The case of the petitioner is as follows:

The petitioner-society was formed for the benefit of employees of irrigation department. It had purchased a private land admeasuring Ac.47.05 gts., for the purpose of its members to provide house sites, and it obtained lay out permission. The petitioner-society allotted 460 plots therein to its members. The petitioner-society constructed a building in the remaining land for the purpose of its members and converted it as Kalyana Mandapam. While so, at the instigation of some people, who are belonging to ruling party, the 3rd respondent started interfering with the activities of the society. Some politically motivated persons made false allegations against the petitioner-society. The petitioner-society made a representation before the 3rd respondent. The 3rd respondent called for certain documents. The petitioner submitted the documents as called for. After submission of the documents, there was no other communication or notice from the 3rd respondent. On 31.1.2017, the officials of the 3rd respondent sealed the premises. Hence, the petitioner filed this writ petition.

3. While admitting the writ petition on 2.2.2017, this Court passed the following order:

“The 3rd respondent shall ensure opening of the seals and handing over of the property to the petitioner forthwith.”

4. Heard and perused the material available on record.

5. From the material available on record, it is evident that the subject Kalyana Mandapam was constructed in the year 1995, and that without issuing any notice, the officials of the 3rd respondent sealed the premises of the said Kalyana Mandapam. This Court already directed the 3rd respondent by way of interim order dated 2.2.2017, to open the seal and hand over the subject premises. Now, the main grievance of the petitioner is that respondents Nos.2 and 3 are interfering with the activities of the Kalyana Mandapam being run by the petitioner-society, without following the due process of law.

6. Considering the above circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, this Court is inclined to pass the following order:

“Respondents Nos.2 and 3 are directed not to interfere with the subject Kalyana Mandapam, without following the due process of law.”

7. With the above direction, the Writ Petition is disposed of. No costs. Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

RAJA ELANGO, J

Date: 22nd June, 2017
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