

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.11040 of 2018

Mrs.M.Rajakumari

.. Petitioner

-vs-

1. The Revenue Divisional Officer
O/o the RDO, Anna Salai
Tiruvannamalai Town & Taluk
Tiruvannamalai District 606 601
2. The Superintendent of Police
Tiruvannamalai District
Vengikkal
Tiruvannamalai 606 604
3. The Inspector of Police
Tiruvannamalai Town Police Station
Tiruvannamalai 606 601
4. Mr.M.Sankaranathan
5. Mr.Mohan

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents 1 to 3 herein to consider the petitioner's representation dated 30.9.2017, requesting them to enforce the order made by the first respondent in her Proceedings No.A4/4501/2014, dated 15.9.2017 so as to prevent the fifth respondent from taking possession of the property more fully described hereunder by taking appropriate proceedings including putting the building (morefully described in the schedule hereunder) under the lock and seal.

Schedule of Property

Building constructed in the above said survey number and in T.S.No.1853/22B1, to an extent of 20 ft east x west, 45 ft north x south, totally an extent of approximately 900 sq.ft in which four shops constructed in the ground floor and four shops constructed in the first floor. Boundaries East to the Road, West to the Manickamudaliar's family property/rest of the

property, North to the Shanmugamudaliar's property, South to the 15 ft pathway, within this boundary constructed building in the name of Ganapathy Nadar Vanika Valakam (commercial shops).

For Petitioner : Mr.S.Vediappan

For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

ORDER

This writ petition has been filed seeking a mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 30.9.2017, wherein a prayer has been made to enforce the order dated 15.9.2017 passed by the Revenue Divisional Officer, Tiruvannamalai Town, the first respondent herein directing the parties to abide by the judgment and decree to be passed in the civil suit for partition in O.S.No.37 of 2004 on the file of the District Court, Tiruvannamalai, now transferred to the file of Mahila Court, Tiruvannamalai and re-numbered as O.S.No.83 of 2017, so as to prevent the fifth respondent from taking possession of the property morefully described in the schedule.

2. As submitted by the learned counsel for the petitioner, when the aforementioned suit is already pending between the parties including the petitioner and the fourth respondent, this Court, without going into the merits of the matter, hereby directs the Presiding Officer, Mahila Court, Tiruvannamalai to expedite the hearing of the pending re-numbered suit in O.S.No.83 of 2017 for partition and dispose of the same on merits and in accordance with law, within a period of six months from the date of receipt of a copy of this order. Till then, the parties are directed not to alienate the property. With this direction, the writ petition stands disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

ss

To

1. The Presiding Officer
Mahila Court
Tiruvannamalai
2. The Revenue Divisional Officer
O/o the RDO, Anna Salai
Tiruvannamalai Town & Taluk
Tiruvannamalai District 606 601
3. The Superintendent of Police
Tiruvannamalai District
Vengikkal
Tiruvannamalai 606 604
4. The Inspector of Police
Tiruvannamalai Town Police Station
Tiruvannamalai 606 601

+1cc to Government Pleader, sr.no.32771

+1cc to Mr.S.Vediappan, Advocate, sr.no.32163

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CA(CO)

RRK(28/05/18)



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