

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 11.09.2018

CORAM
THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.10368 of 2013 and
M.P.No.1 of 2013

Saravanan

...Petitioner

Vs.

1.District Collector,
Villupuram district.

2.The Block Development officer,
Kallakurichi.

3.The President cum Executive officer,
K.Ambalam Panchayat,
Sankarapuram,
Villupuram District.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to forbear the respondents from laying a road across our Patta land and more particularly the property of the petitioner in Survey Number 35/12B, Pommbarapattu Village, Sankarapuram Taluk, Villupuram District, except is in accordance with law.

For Petitioner : Mr.V.Raghavachari

For Respondents : Mr.D.Raghu,
Government Advocate for R1.

Mr.V.Jayaprakash Narayanan for R2 & R3.
Spl.Government Pleader

O R D E R

The relief sought for in this writ petition is to forbear the respondents from laying a road across the Patta land belongs to the writ petitioner more particularly the property of the writ petitioner in Survey Number 35/12B, Pommbarapattu Village, Sankarapuram Taluk, Villupuram District.

2.The learned counsel appearing on behalf of the writ petitioner states that the respondents are attempting to interfere with the property belonging to the writ petitioner for

the purpose of laying a public road. The only contention is that the property belongs to the writ petitioner is a Patta land and without following the due process of law, the respondents are not empowered to interfere with the peaceful possession and enjoyment of the property belongs to the writ petitioner.

3.The learned Special Government Pleader appearing on behalf of the respondents informed this Court that no action will be taken against the Patta lands without following the procedures contemplated under law. Thus, if at all, any property or the portion of the property is to be utilised for the public purpose due process of law will be followed and without following the same, no action can be initiated in respect of the property belongs to the writ petitioner.

4.With these observations, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

mbi/kp

To

1.District Collector,
Villupuram district.

2.The Block Development officer,
Kallakurichi.

3.The President cum Executive officer,
K.Ambalam Panchayat,
Sankarapuram,
Villupuram District.

+lcc to Mr.V.Jayaprakash Narayanan, Advocate, SR.No. 63209

+lcc to The Government Pleader, SR.No.63810.

W.P.No.10368 of 2013 and
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PPA (CO)

rrs 16/10/2018