

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.2473 of 2018

and

WMP.No.3013 of 2018

A.Kalamani
W/o.Ayyasamy

.. Petitioner

Vs.

1.The District Collector
Thiruvannamalai District
Thiruvannamalai.

2.The Revenue Divisional Officer
Thiruvannamalai.

3.The Tahsildar
Thiruvannamalai Taluk
Thiruvannamalai.

4.R.Govindan
S/o.Ramasamy

.... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to forbear the 2nd respondent herein from in any manner interfering with the petitioner property situated in S.Nos.54/4&5, 55/1&4 and 47 (New Survey No.68/2, 68/3 and 69/4) to an extent of 3.32 Acres of land situated in Su.Kilnachipet Village, Tiruvannamalai District.

For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.B.Anandan

Government Advocate for R1 to R3

O R D E R

Mr.B.Anandan, learned Government Advocate takes notice for the respondents 1 to 3. Since this writ petition is being disposed of, without affecting the interest of the fourth respondent, notice to the fourth respondent is dispensed with.

2. The petitioner seeks for a mandamus forbearing the 2nd respondent from any manner interfering with the petitioner's property situated in S.Nos.54/4&5, 55/1&4 and 47 (New Survey No.68/2, 68/3 and 69/4) to an extent of 3.32 Acres of land

situated in Su.Kilnachipet Village, Tiruvannamalai District.

3. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents 1 to 3.

4. It is seen that the second respondent has issued a notice to the petitioner on 09.01.2018, calling upon her to appear for the Peace Committee Meeting on 22.01.2018, to settle the dispute with regard to certain properties alleged to have been encroached by the concerned parties.

5. The grievance of the petitioner before this Court is that the second respondent under the guise of conducting the Peace Committee Meeting, is trying to interfere with the possession of the petitioner's property.

6. It is however, stated by the learned counsel for the petitioner that after receiving the said notice dated 09.01.2018 from the second respondent, the petitioner has given a detailed objections on 24.01.2018.

7. When such being the position, I do not think that the petitioner can have any apprehension, that too, against the second respondent, as if he is going to interfere with the possession of the petitioner in any manner. Needless to say that he has to consider the objections raised by the petitioner in his communication dated 24.01.2018 and pass appropriate orders thereafter. Therefore, this writ petition is disposed of, by directing the second respondent to pass orders on merits and in accordance with law, on the objections raised by the petitioner on 24.01.2018, after giving an opportunity of hearing to the petitioner as well as the fourth respondent and other interested persons, if any. Such exercise shall be done by the second respondent, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

सत्यमेव जयते
s/d-

Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

mk

To

1.The District Collector
Thiruvannamalai District
Thiruvannamalai.

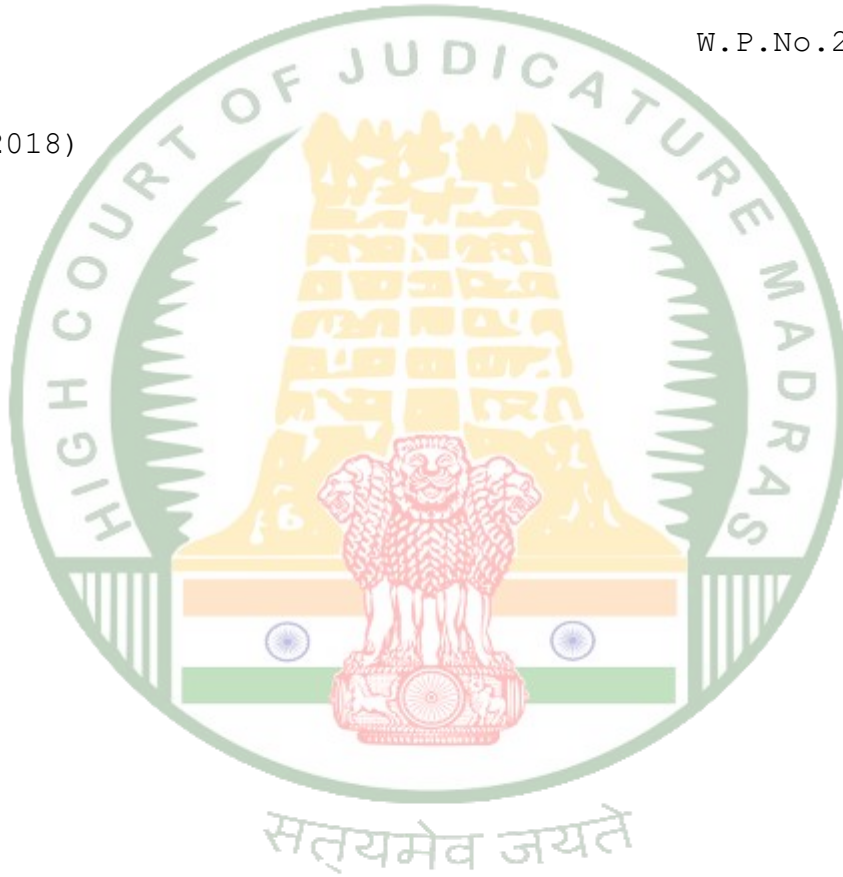
2.The Revenue Divisional Officer
Thiruvannamalai.

3.The Tahsildar
Thiruvannamalai Taluk
Thiruvannamalai.

+1 CC to Mr.S. Sivakumar, Advocate sr 8845.
+1 CC to The Govt. Pleader sr 8723.

W.P.No.2473 of 2018

EV(CO)
SP(17/02/2018)



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