

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.27548 of 2017

K.Sekar

... Petitioner

vs.

1. The District Collector,
Nilgiris District,
The Nilgiris.
2. The District Revenue Officer,
Nilgiris District,
Nilgiris.
3. The Tahsildar,
Kundah Taluk,
The Nilgiris.
4. The Inspector of Police,
Kundah Taluk,
The Nilgiris.
5. Shanmugam
6. Shivaraj

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 2 and 3 not to interfere with the petitioner's peaceful possession and enjoyment of his lands comprised in S.No.353/1 of an extent of 2 acres in Ithalar Village, Kundah Taluk, Nilgiris District.

For Petitioner : Ms.E.Gomathi

For Respondents : Mr.ERA.Premnath,

Government Advocate for R1 to R4.

O R D E R

The petitioner seeks for a mandamus to forbear the respondents 2 and 3 from interfering with his possession and enjoyment of the land at S.No.353/1 measuring an extent of 2 acres in Ithalar Village, Kundah Taluk, Nilgiris District.

2. The grievance of the petitioner is that the respondents 2 and 3 are trying to disturb the petitioner's possession at the instance of the private respondents 5 and 6 without following due process of law.

3. When the matter was posted for admission on 27.10.2017, the learned Additional Government Pleader took time to get instruction. Accordingly, the matter is listed today for further hearing.

4. Mr.ERA. Premnath, learned Government Advocate appearing for the respondents 1 to 4, based on instructions, submitted that the official respondents are not interfering with the petitioner's possession in respect of the subject matter property in any manner and so the apprehension of the petitioner is not well founded. Therefore, he submitted that the writ petition may be closed by recording the above said submission made by him.

5. Learned counsel for the petitioner submitted that the above statement made by the learned Government Advocate may be recorded and the writ petition may be closed.

6. Accordingly, by recording the above statement made by the learned Government Advocate, the writ petition is closed. If the petitioner has any private dispute or claim against the private respondents 5 and 6, it is open to the petitioner to agitate the same before the appropriate Civil Forum and this Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner. No costs.

s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

vsi

To

1. The District Collector,
Nilgiris District,
The Nilgiris.
2. The District Revenue Officer,
Nilgiris District,
Nilgiris.

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3. The Tahsildar,
Kundah Taluk,
The Nilgiris.

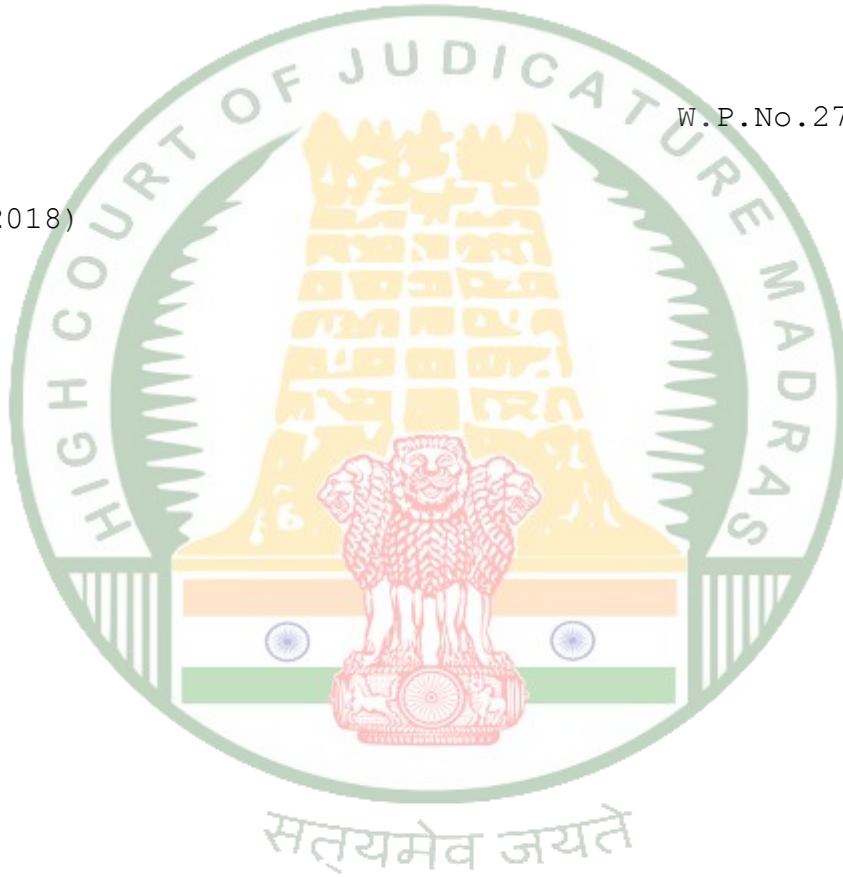
4. The Inspector of Police,
Kundah Taluk,
The Nilgiris.

+1 CC to Mr.J. Franklin, Advocate sr 169.

+1 CC to Govt. Pleader sr 160

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KS(CO)
SP(17/01/2018)



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