

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P No.13831 of 2013

R.Shanmugam

... Petitioner

Vs

1.The District Collector,  
Namakkal.

2.The District Revenue Officer,  
Namakkal.

3.The Revenue Divisional Officer,  
Thiruchengodu.

4.The Tahsildar,  
Thiruchengodu.

5.The Village Administrative Officer,  
Pallipalayam,  
Thiruchengodu Taluk,  
Namakkal District.

... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, forbearing the respondents from taking any coercive action against the properties of the petitioner bearing Nos.89, 89A and 89B, Karattankadu, Kavery R.S.Post, comprised in Survey Nos.594/15 and 594/9 of Pallipalayam Village, Alampalayam Panchayat, Thiruchengodu Taluk, Namakkal District, without following the due process of the law.

For Petitioner : Mr.T.Gowthaman

For Respondents : Mr.B.Anand  
Government Advocate

O R D E R

Heard Mr.T.Gowthaman, learned counsel for the petitioner, Mr.B.Anand, learned Government Advocate for the respondents and perused the materials available on record.

2. The case of the petitioner is that he is the absolute owner of the property in S.Nos.594/15 and 594/9 of Pallipalayam Village, which is an ancestors property. The further case of the petitioner is that on 27.04.2013, the subordinates of the second respondent entered into the house of the petitioner and attempted to demolish the same, hence, the present writ petition.

3. In the counter filed by the fourth respondent it has been stated that the lands in S.Nos.594/15 and 594/9 of Pallipalayam Village, Namakkal District, belongs to the petitioner. But, the petitioner had put up a construction in S.No.594/10, by encroaching the property of the Government. It is further stated that the eviction proceedings would be initiated after following the due process of law.

4. In the light of the stand taken by the fourth respondent, this Court is of the considered opinion that no further adjudication is required in this writ petition. Accordingly, this writ petition is closed. However, there shall be no order as to costs.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

- 1.The District Collector,  
Namakkal.
- 2.The District Revenue Officer,  
Namakkal.
- 3.The Revenue Divisional Officer,  
Thiruchengodu.
- 4.The Tahsildar,  
Thiruchengodu.

5.The Village Administrative Officer,  
Pallipalayam,  
Thiruchengodu Taluk,  
Namakkal District.

+1cc to Mr.T.Gowthaman, Advocate Sr.44385  
+1cc to the Government Pleader Sr.44599

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kj[col]  
srg 25/07/2018



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