

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.02.2018

Coram: The Honourable Mr. Justice N. SESHASAYEE

W.P.No.40594 of 2016
and
W.M.P.No.34592 of 2016

1. Balasubramaniam
2. K.Sengottuvel

...Petitioners

Versus

1. The District Collector,
Salem District,
Salem.
2. The Special District Revenue Officer (Land Acquisition),
State Highways No.86,
Salem.
3. The Village Administrative Officer,
O/o. The Village Administrative Officer,
Paramathi.
4. The Tahsildhar,
O/o. The Tahsildhar,
Paramathivellore.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus forbearing the respondents, their men, agents and servants from interfering with our property situated at S.F.No.300/1F and 301/5 in Paramathi Village, Salem District along with the buildings thereon without following the due process of law.

For Petitioners : Mr. I. Abrar MD Abdullah
For Respondents : Mr. Akhil Akbar Ali,
Government Advocate

O R D E R

The only grievance expressed by the petitioners is that they own a piece of property in Survey Nos.300/1F and 301/5 in Paramathi Village, Salem District and that they were also in occupation of a piece of land on the road margin. The petitioners have already vacated the portion that they have encroached and now they are in peaceful possession of the property in the aforesaid Survey Numbers.

2. This petition is filed on the basis of the apprehension of the petitioners that the respondents attempted to disturb their possession without any sanction of law.

3. Mr. Akhil Akbar Ali, learned Government Advocate takes notice for all the respondents.

4. Inasmuch as the prayer of the petitioners is not to disturb their possession except in accordance with law, the same necessarily follows that the authority who deals with the right of the citizens shall act only consistent with the manner and within the powers indicated in law.

5. Accordingly, this Writ Petition is allowed and the respondents are directed to not to disturb the petitioners' possession, except in accordance with law. No costs. Consequently, connected Miscellaneous Petition is closed.

-s/d-
Deputy Registrar

True Copy

Sub-Assistant Registrar

mrr

To

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Salem.
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O/o. The Tahsildhar,
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- +1 CC to Mr. I. Abrar MD Abdullah, advocate sr 10075.

W.P.No.40594 of 2016

SP(01/03/2018)