



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2018

CORAM :

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 4399 of 2018
and
W.M.P. (MD) No. 4494 of 2018

V. Renganathan

... Petitioner

/Vs./

The District Revenue Officer,
Collectorate,
Tiruchirappalli.

... Respondent

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent not to interfere with peaceful possession and enjoyment of the petitioner property T.S.No.2019/2, in Thimmaraya Samuthiram Village, Srirangam Taluk, Trichirapalli District otherwise than the due process of law.

For Petitioner	: Mr.S.Jayavel
For Respondent	: Mr.Chellapandian
	Additional Advocate General
	assisted by Mr.M.Rajarajan
	Government Advocate

ORDER

This writ petition has been filed for forbearing the respondent from interfering with peaceful possession and enjoyment of the property comprised in T.S.No.2019/2, in Thimmaraya Samuthiram Village, Srirangam Taluk, Trichirapalli District otherwise than the due process of law.

2. The learned Additional Advocate General on instructions submitted that the petitioner's land now sub-divided as 2019/3A3 forms part of T.S.No.2019/145. Since the revenue records have not been mutated, the authorities in their notification have mentioned the name of the original owner.

3. The learned counsel appearing for the petitioner placed on record the proceedings issued by the concerned authority indicating that after sub-division, the property even in the revenue records stands in the name of the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>

4. Therefore, the respondent is obliged to issue a communication under Section 15(2) of the Act to



the petitioner calling upon the petitioner to offer his objection and also fix a date for personal hearing. Thereafter, the orders will be passed by the respondent. As on date, no orders affecting the petitioner have been passed under Section 15(1) of the Tamil Nadu Highways Act. Till such notification is issued, the petitioner shall not be dispossessed. This writ petition is allowed accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd

ASSISTANT REGISTRAR (CS I)

/TRUE COPY/

SUB ASSISTANT REGISTRAR (CS II)

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To

The District Revenue Officer,
Collectorate,
Tiruchirappali.

1CC TO MR. S. JAYAVEL, ADVOCATE SR 99208

DS RSK SAR 2
10 DECEMBER 2018
2P 3C

Order made in
W.P. (MD) No. 4399 of 2018
05.12.2018