

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2019

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.17782 of 2009

and

M.P.No.1 of 2009

D.Muniraj

... Petitioner

Vs

1.The Collector,
Dharmapuri District.

2.The Tahsildar,
Pennagaram Taluk,
Dharmapuri District.

3.The Block Development Officer,
Block Development Office,
Pennagaram Taluk,
Dharmapuri District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus forbearing the respondents from interfering with the petitioner's peaceful possession and enjoyment of the property having an extent of 450 sq.ft of land comprised in Survey No.1103/11 Hogenakkal Village, Pennagaram Taluk, Dharmapuri District, except due process of law.

For Petitioner : M/s.V.R.AnnaGandhi

For Respondents: Mr.J.Ramesh, AGP - for R1 & R2

Mr.V.Manoharan for R3

ORDER

The prayer made in this writ petition is to forbear the respondents from dispossessing the petitioner from his peaceful and enjoyment of the property in Survey No.1103/11, Hogenakkal Village, Pennagaram Taluk, Dharmapuri District, except under due process of law.

2. When the matter was taken up for hearing, the learned counsel for the petitioner fairly submitted that with respect to the property in question, a Civil suit is pending and hence, it would suffice, if the petitioner is granted liberty to approach the Civil Court for appropriate relief, for which, the learned counsel appearing for the respective respondents have no serious objection.

3. Granting such liberty to the petitioner, this writ petition stands closed. No costs. Consequently, connected miscellaneous petition is also closed.

s/d-
Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

vsi2/jas

To

1. The Collector, Dharmapuri District.

2. The Tahsildar,
Pennagaram Taluk,
Dharmapuri District.

3. The Block Development Officer,
Block Development Office,
Pennagaram Taluk,
Dharmapuri District.

+1 CC to Mr. V.R. Annagandgi, Advocate sr 1163.

+1 CC to Govt. Pleader sr 1469.

सत्यमेव जयते

WP.No.17782 of 2009

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SP(22/04/2019)