IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.02.2019

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THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.No.9560 of 2014
and M.P.No.1 of 2014

Bagyam .. Petitioner

Vs

1.The District Collector,
Namakkal District,
Namakkal.

2.The Tahsildar,
Tiruchengode,
Namakkal District.

3.The Commissioner,
Nallasamudram Panchayat Union,
Nallasamudram,
Namakkal District.

4.The Panchayat President,
Kallupalayam Village Panchayat,
Kallupalayam,
Tiruchengode Taluk,
Namakkal District. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus forbearing the respondents from disturbing the peaceful possession of the petitioner in respect of her land measuring about 3 cents in survey No.55 of 87, Kallupalayam Village, Tiruchengode Taluk, Namakkal District without following the due process of law.

For Petitioner : Mr.M.Sivavarthanan

For R1 to R3 : Mr.B.Anand, GA

For R4 : Mr.Anandan

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O R D E R

The Writ Petition has been filed to forbear the respondents from disturbing the peaceful possession of the petitioner in respect of her land measuring about 3 cents in survey No.55 of 87, Kallupalayam Village, Tiruchengode Taluk, Namakkal District without following the due process of law.

2.The learned counsel for the petitioner would submit that the respondents are trying to interfere with the peaceful possession of the property of the petitioner. Therefore, the petitioner is before this Court with the above prayer.

3.The learned Government Advocate appearing for the respondents 1 to 3 sought the attention of this Court to paragraph No.4 of the counter affidavit filed by the 2nd respondent, wherein, it is averred that the petitioner was granted patta in survey No.55 to an extent of 0.0140.0 sq.mtr. and the same was sub-divided as S.F.No.84/6, in which, she has constructed a building and therefore, disturbing the peaceful possession of the petitioner by the respondents would not arise.

4.By recording the aforesaid submission of the learned Government Advocate, this writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gya
To

1.The District Collector,
Namakkal District,
Namakkal.

2.The Tahsildar,
Tiruchengode,
Namakkal District.

3.The Commissioner,
Nallasamudram Panchayat Union,
Nallasamudram,
Namakkal District.

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4.The Panchayat President,
Kallupalayam Village Panchayat,
Kallupalayam,
Tiruchengode Taluk,
Namakkal District.

+1 cc to Mr.M.Sivavarthanan, Advocate Sr.No.17690
+1 cc to The Government Pleader, Sr.No.18192

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