

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2019

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.NO.12515 OF 2017

AND

W.M.P.NO.13309 OF 2017

C.K.Natraj

.. Petitioner

-vs-

1. The District Collector,
Collectorate,
Namakkal District.
2. The District Revenue Officer,
Collectorate,
Namakkal District.
3. The Revenue Divisional Officer,
Namakkal District.
4. The Tahsildar,
Namakkal Town & Taluk, Namakkal District.
5. The Block Development Officer,
Moganur Road, Namakkal Town & Taluk,
Namakkal District.
6. The President,
Vallipuram Panchayat,
Vallipuram Village, Namakkal District.

.. Respondents

Petition under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus forbearing the respondents from cancelling the Natham Patta bearing No.396 and not evict the petitioner from the property bearing Natham old S.No.227/1, new S.No.349/7 which is situated in Vallipuram Village, Namakkal District.

For Petitioner : Mr.A.Rajakumar

For Respondents : Mr.G.P.Rajesh,
Government Advocate

ORDER

The petitioner seeks for issuance of Writ of Mandamus forbearing the respondents from cancelling the Natham Patta bearing No.396 and not evict the petitioner from the property bearing Natham old Survey No.227/1, new Survey No.349/7 which is situated in Vallipuram Village, Namakkal District.

2.Heard Mr.A.Rajakumar, learned counsel for the petitioner and Mr.G.P.Rajesh, learned Government Advocate for the respondents.

3.With consent on either side, this writ petition is taken up for final disposal.

4.On 02.06.2017, notice was ordered to the respondents with a direction to file counter affidavit. Till date, no counter affidavit has been filed.

5.The petitioner's case is that patta was granted to the petitioner's father and sister, and the petitioner is now in possession of the property and there is a threat of dispossession by the respondents.

6.The learned counsel for the petitioner submits that if the land is required by the respondents, they should follow the proper procedure and issue notice to the petitioner and then take action. Without doing so, they cannot take high-handed action.

7.The learned Government Advocate submits that no high-handed action has been taken and action will be taken in accordance with law.

8.Accordingly, this writ petition stands disposed of by directing the 5th respondent to issue notice to the petitioner and take action in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS VI)
//True Copy//

Sub Assistant Registrar

abr

To

1. The District Collector,
Collectorate,
Namakkal District.
2. The District Revenue Officer,
Collectorate,
Namakkal District.
3. The Revenue Divisional Officer,
Namakkal District.
4. The Tahsildar,
Namakkal Town & Taluk,
Namakkal District.
5. The Block Development Officer,
Moganur Road,
Namakkal Town & Taluk,
Namakkal District.
6. The President,
Vallipuram Panchayat,
Vallipuram Village,
Namakkal District.

+1cc to the Government Pleader, S.R.No.100714

W.P.No.12515 of 2017

SSI (CO)
CS/10/01/2020



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