

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2019

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.30893 of 2019

and

WMP.No.30981 of 2019

V.Murali

... Petitioner

Vs.

1. Thahsildar,
Vikkiranvandi & Taluk,
Villupuram District.
2. Block Development Officer (Regular),
Vikkeravandi Punchayath Union,
Vikkiranvandi & Taluk,
Villupuram District.
3. Block Development Officer (Scheme),
Vikkeravandi Punchayath Union,
Vikkiranvandi & Taluk,
Villupuram District.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to forbearing the 2nd and 3rd respondents, from interfering in peaceful enjoyment of thoppu property by the petitioner measuring 33 cents in Survey No.110/2, Srivillikuppam Village, Vikravandi Taluk, Vizhupuram District without following due process of Law.

For Petitioner : Mr.S.T.Varadarajulu

For Respondents : Mr.K.Ravikumar
Additional Government Pleader

O R D E R

The petitioner herein apprehending that the respondents 2 and 3 are going to interfere in his peaceful possession and enjoyment of Survey No.110/2, Srivillikuppam Village, Vikravandi Taluk, Vizhupuram District, has filed this Writ Petition seeking

Mandamus to forbear the respondents 2 and 3 from interfering his peaceful possession.

2..The averment of the petitioner is that the respondents 2 and 3, without taking note of his ownership over the said land trying to interfere in his land forcibly to construct Water tank. On notice, the Block Development Officer has informed this Court that they are proposed to construct water tank in Survey No.109 classified as Government Poramboke. There is no intention of constructing water tank in Survey No.110/2. The proposal to construct the water tank in the land for which the petitioner claiming ownership are not one and the same.

3.In view of the above statement made by the Block Development Officer, this Court finds that the apprehension of the petitioner is baseless. When no construction is carried in the land of the petitioner, in Survey No.110/2 but the construction is only in Survey No.109, classified as Government Poramboke, the writ petition prayer does not survive.

Recording the same, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

kp
To

1. Tahsildar,
Vikkiranvandi & Taluk, Villupuram District.
2. Block Development Officer (Regular),
Vikkeravandi Punchayath Union,
Vikkiranvandi & Taluk, Villupuram District.
3. Block Development Officer (Scheme),
Vikkeravandi Punchayath Union,
Vikkiranvandi & Taluk, Villupuram District.

+1cc to Mr.S.T.Varadarajulu, Advocate, S.R.No.96730
+1cc to the Government Pleader, S.R.No.97549

W.P.No.30893 of 2019

PA(CO)
CS/02/01/2020