



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

and

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD) No.13339 of 2019

and

WMP (MD) No.9932 of 2019

T.Chellammal @ Kamuthai

: Petitioner

Vs.

1. The District Collector,
Dindigul District, Dindigul.

2. The Tahsildar,
Dindigul West Taluk,
Dindigul District.

3. The Revenue Inspector,
Palakanoothu Village,
Dindigul West Taluk,
Dindigul District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents not to dispossess the petitioner from her land in S.F.No.374/1 to an extent of 2 acres 11 cents and S.F.No.374/2 to an extent of 1 acre 47 cents situated at Neelamalaikottai Post, Palakanoothu Village, Dindigul West Taluk, Dindigul District, without following the due process of law.

For Petitioner : Mr.V.Muthukamatchi

For Respondents : Mr.N.Shanmugaselvam

Additional Government Pleader

O R D E R

[Order of the Court was made by **K.RAVICHANDRABAABU, J.**]

The petitioner seeks for Mandamus directing the respondents not to dispossess the petitioner from her land in S.F.No.374/1 to an extent of 2 acres 11 cents and S.F.No.374/2 to an extent of 1 acre 47 cents, situated at Neelamalaikottai Post, Palakanoothu Village, Dindigul West Taluk, Dindigul District, without following the due process of law.



2. Heard both sides.

3. The petitioner claims to be in possession of the subject matter property for long number of years. According to her, the respondents/revenue officials are trying to dispossess her from the subject matter property without following due process of law. Therefore, she approached this Court and filed the above writ petition.

4. The learned Special Government Pleader based on instruction submitted that the 'B' memo issued to the petitioner is cancelled by the second respondent through proceedings dated 07.05.2019 and consequently, further proceedings to evict the petitioner from the subject matter property will be taken in accordance with law. Therefore, he submitted that the petitioner's apprehension that she will be evicted without following due process of law is not well founded. In other words, it is the contention of the learned Additional Government Pleader that only by following the due process of law, the petitioner will be evicted from the subject matter property. The learned Additional Government Pleader also placed the proceedings, dated 07.05.2019 cancelling the 'B' memo issued to the petitioner.

5. Since the respondents have taken action against the petitioner by cancelling 'B' memo and that they are proceedings to evict the petitioner after following due process of law, as submitted by the learned Additional Government Pleader, we find that the present writ petition, based on mere apprehension, cannot be sustained. Therefore, this writ petition is disposed of by recording the undertaking given by the learned Additional Government Pleader that the petitioner will be evicted from the subject matter property only by following the due process of law. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

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To

1. The District Collector,
Dindigul District,

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



2. The Tahsildar,
Dindigul West Taluk,
Dindigul District.

3. The Revenue Inspector,
Palakanoothu Village,
Dindigul West Taluk,
Dindigul District.

+ 1 CC TO Mr.V.Muthukamatchi, ADVOCATE IN SR No.69980

+ 1 CC to The Special Government Pleader SR.No.70433

W.P. (MD) No.13339 of 2019

19.06.2019

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