



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2019

CORAM

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

W.P. (MD) .16427 of 2015

WEB COPY

Kumaran

... Petitioner

Vs.

1. The Registrar of Cultivating Tenants/Tahsildar,  
Ponnamaravathy, Pudukkottai District.
2. The District Collector, Pudukkottai,  
Pudukkottai District.
3. The Assistant Commissioner,  
Revenue Court, Trichy.
4. The Superintendent of Police,  
Pudukkottai, Pudukkottai District.
5. The Inspector of Police,  
Ponnamaravathy, Pudukkottai District.
6. SP.Subramanian ... Respondents  
(R6 is impleaded vide Court order dated 22/03/2019  
in MP (MD) NO.1/2015 in WP (MD) No.16427/2015)

**PRAYER:** Writ Petition filed under Article 226 of Constitution of India, for issuance of Writ of Mandamus directing the 4<sup>th</sup> respondent to direct the 5<sup>th</sup> respondent not to prevent the petitioner's possession and enjoyment of lands situated in Survey No.357/2 to an extent of 0.34.0 Ares at Thoothur Village, Ponnamaravathi Taluk, Pudukkottai District by misusing his official power arbitrarily without due process of law based on the petitioner's representation dated 26.07.2015.

For Petitioner : Mr.Prasanna Rajadurai for  
Mr.S.Muthalraj  
For Respondents : Mr.R.Anandaraj for R1 to R5  
Additional Public Prosecutor  
Mr.D.Senthil Kumar for R6

**ORDER**

This writ petition is filed for a Writ of Mandamus directing the 4<sup>th</sup> respondent to direct the 5<sup>th</sup> respondent not to prevent the petitioner's possession and enjoyment of lands situated in Survey No.357/2 to an extent of 0.34.0 Ares at Thoothur Village, Ponnamaravathi Taluk, Pudukkottai District by misusing his official



power arbitrarily without due process of law based on the petitioner's representation dated 26.07.2015.

2. According to the petitioner, he is a cultivating tenant of one Subbiah Chettiyar and his tenancy has also been approved as per the Taluk Tenancy Register as tenant for the above lands in RTR.No.1/2010/அ. But, the 6<sup>th</sup> respondent Subramanian has disturbed his possession and therefore, he filed this writ petition.

3. The learned counsel for the petitioner had also produced the order of the Special Assistant Collector, Revenue Court, Trichy, dated 30.05.2017, wherein the 6<sup>th</sup> respondent had filed an appeal as against the order passed by the Tahsildar in R.T.A.No.RTR.No.1/2010/அ and the same was dismissed. According to the 6<sup>th</sup> respondent he has also taking steps to challenge those orders.

4. In view of the submissions made on either side, this writ petition is disposed of with liberty to the parties to work out their remedies before the appropriate Civil Court.

sd/  
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Registrar of Cultivating Tenants/Tahsildar,  
Ponnamaravathy, Pudukkottai District.
2. The District Collector, Pudukkottai,  
Pudukkottai District.
3. The Assistant Commissioner,  
Revenue Court, Trichy.
4. The Superintendent of Police,  
Pudukkottai, Pudukkottai District.
5. The Inspector of Police,  
Ponnamaravathy, Pudukkottai District.

+1 CC to Mr.S.BALAMURUGAN, Advocate ( SR-59694[F] dated 08/04/2019 )  
+1 CC to Mr.NA.PALANIYANDI, Advocate (SR-59635[F] dated 08/04/2019 )

**W.P. (MD) .16427 of 2015**  
**08.04.2019**