

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.34380 of 2013
and M.P.No.1 of 2013

M.Kavitha

...Petitioner

Vs.

1.The Government of Tamil Nadu,
rep by its Principal Secretary to Government
Highways and Minor Ports Department,
Fort St.George, Madras - 600 009.

2.The Divisional Engineer, Highways Department,
No.394/4, Construction and Maintenance,
Chennai Corporation Division,
Anna Salai, Chennai - 600 015.

...Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus forbearing the respondents from interfering with the peaceful possession and enjoyment of the property in survey No.12, Gowrivakkam Village, Tambaram Taluk, Kancheepuram District, Plot No.1-A, Easwari Layout approved by Executive Officer, Senbakkam Village Panchayat.

For Petitioner : Mr.E.Felix Parthiban for M/s.S.Joel

For Respondents : Mrs.K.Bhuvaneshwari,
Additional Government Pleader

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus forbearing the respondents from interfering with the peaceful possession and enjoyment of the property in Survey No.12, Gowrivakkam Village, Tambaram Taluk, Kancheepuram District, Plot No.1-A, Easwari Layout approved by Executive Officer, Senbakkam Village Panchayat.

2.It is the apprehension of the petitioner that the respondents are taking coercive steps to dispossess the petitioner from her lands in Survey No.12. Further, the learned counsel for the petitioner submitted that the petitioner is the absolute owner of the property and that she is also holding a valid patta in her name.

3.Mrs.K.Bhuvaneswari, learned Additional Government Pleader appearing for the respondents submitted that the respondents shall not dispossess the petitioner except following due process of law.

4.Mr.E.Felix Parthiban, learned counsel for the petitioner submitted that the submission made by the learned Additional Government Pleader may be recorded and the Writ Petition may be closed.

5.In view of the submission made by the learned Additional Government Pleader that the authorities shall not dispossess the petitioner except following due process of law, the Writ Petition stands closed. No costs. Consequently, the connected miscellaneous petition is also closed.

s/d-

Assistant Registrar(CS V)

True Copy

Sub-Assistant Registrar

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To

- 1.The Principal Secretary to Government
Government of Tamil Nadu,
Highways and Minor Ports Department,
Fort St.George, Madras - 600 009.
- 2.The Divisional Engineer, Highways Department,
No.394/4, Construction and Maintenance,
Chennai Corporation Division,
Anna Salai, Chennai - 600 015.

+1cc to Mr.S.Joel, SR.No.39439

+1cc to Government Pleader, SR.No.39782

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KKV/09/12/2020

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