

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.2318 of 2017
and W.M.P.No.2307 of 2017

B.Dhakshinamoorthy
rep by Power of Attorney
Dr.P.Balakrishnan

...Petitioner

Vs.

1. The District Collector,
Vellore,
Vellore District.
2. The Revenue Divisional Officer,
Tirupattur,
Vellore District.
3. The Tahsildar,
Tirupattur,
Vellore District.
4. The Special Tahsildar,
Harijan and Backward Classes Welfare,
Tirupattur,
Vellore District.

...Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus forbearing the respondents from disturbing the possession of the petitioner with respect to the property admeasuring 1.45 hectares comprised in S.No.120/1, property admeasuring 0.72.50 hectare comprised in S.No.120/2 and property admeasuring 0.41.00 comprised in S.No.132/2 situated in Perampattu Village, Tirupattur Taluk, Vellore District in Patta No.161.

For Petitioner : Mr.R.Rajarajan
For Respondents: Ms.A.Madhumathi,
Special Government Pleader (R1 to R4)

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus forbearing the respondents from disturbing the possession of the petitioner with respect to the property measuring an extent of 1.45 hectares comprised in S.No.120/1,

property measuring an extent of 0.72.50 hectare comprised in S.No.120/2 and property measuring an extent of 0.41.00 comprised in S.No.132/2 situated in Perampattu Village, Tirupattur Taluk, Vellore District in Patta No.161.

2.Mr.R.Rajaraman, learned counsel appearing for the petitioner submitted that the apprehension of the petitioner is that the respondents are taking steps to dispossess the petitioner from his lands without taking any steps to acquire the same.

3.Ms.A.Madhumathi, learned Special Government Pleader appearing for the respondents submitted that the petitioner would not be dispossessed from his lands except following due process of law.

4.It is needless to say that if the respondents are intending to take possession of the petitioner's property, the same can be done only following due process of law. The respondents can only initiate appropriate proceedings for dispossessing the petitioner from his lands. In such view of the matter, the dispossession of the petitioner should not be done except following due process of law.

5.With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Vellore, Vellore District.
2. The Revenue Divisional Officer,
Tirupattur, Vellore District.
3. The Tahsildar,
Tirupattur, Vellore District.
4. The Special Tahsildar,
Harijan and Backward Classes Welfare,
Tirupattur, Vellore District.

+1cc to the Government Pleader, S.R.No.37152

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BR(CO)
RV(08/12/2020)