

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2020

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.1584 of 2017

and

WMP No.1548 of 2017

N.Balasubramanian

...

Petitioner

Vs

1. The District Collector,
Perambalur District.

2. The Revenue Divisional Officer,
Perambalur District.

3. The Tahsildar,
Veppanthattai

4. Inspector of Police,
Arumbarur,
Vepanthattai Taluk,
Perambalur District.

5. The Block Development Officer,
Veepanthattai, Perambalur.

6. T. Sekar

..... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents not to interfere with Petitioner's peaceful possession and enjoyment of land comprised in Survey No.134 /1A measuring to a total extent of Acres 4.18 1/2 cents situated at Malayalapatti Village, Vepanthattai Taluk, Perambalur District.

For petitioner : Mr.R. Murali

For respondents

: Ms.K.Bhuvaneswari

Additional Govt. Pleader
for R1 to R4

Mr.P.S.Sivashanmugasundaram

for R5 No appearance for R6

ORDER

The 3rd respondent has filed a counter before this Court and according to the Counter they admit that the petitioner is carrying on agricultural activities in his property. The 3rd respondent has also denied the petitioner's allegations that the respondents No.1 to 5 at the instigation of the 6th respondent made an attempt to trespass upon the petitioner's land in the guise of extending the road adjacent to the petitioner's land. The 3rd respondent has also stated that as per the Government records, there is no path way crossing the land of the petitioner and therefore, there is no necessity for either of the respondents to lay a road or to extend the existing road into the petitioner's property. The 3rd respondent has also categorically pleaded that neither the 3rd respondent nor respondents 1,2, 4 and 5 have initiated any proceedings to lay road in the land belonging to the petitioner.

2. The writ petition has been filed by the petitioner on an apprehension that there is an attempt made by the respondents to lay a road in his property. In view of the counter affidavit filed by the respondents, it is clear that the respondents are not attempting to lay a road in the petitioner's property. The statement made by the 3rd respondent in paragraph No.5 of the counter affidavit is recorded and the writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-)

//True Copy//

Sub Assistant Registrar

vsi2

To

1. The District Collector,
Perambalur District.

2. The Revenue Divisional Officer,
Perambalur District.

3. The Tahsildar,
Veppanthattai

4. Inspector of Police,
Arumbarur,
Vepanthattai Taluk,
Perambalur District.

5. The Block Development Officer,
Veepanthattai,
Perambalur.

+1cc to Mr.R.Murali, Advocate, S.R.No. 7260

+1cc to the Government Pleader, S.R.No. 8558

W.P. No.1584 of 2017

NRL (CO)
GN (05/03/2020)



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