



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.08.2020
CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

W.P.(MD)No.10109 of 2020 and
WMP(MD) No.9005 of 2020

T.Seethaiammal

:Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Special Tahsildar cum Sub Collector,
Madurai District,
Madurai.

3.The Thasildar,
Madurai North Taluk Office,
Y.Othakkadai,
Madurai.

4.The Head Surveyor,
Madurai North Taluk Office,
Y.Othakkadai,
Madurai.

5.The Inspector of Police,
Alanganallur Police Station,
Alanganallur,
Madurai.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 3 to 5 herein from interfering with the petitioner's peaceful possession and enjoyment of the property comprised in Survey No.42/3A measuring about 0.88.5 areas situated at Boothakudi Village, Madurai District till the disposal of the appeal in Appeal No.16 of 2018 pending on the file of the second respondent under the guise of demarcation and survey of the land.

For Petitioner : Mr.N.Balamuralikrishnan

For Respondents : Mr.S.Angappan
Government Advocate



O R D E R

Heard the learned counsel for the Writ Petitioner and the learned Government Advocate for the respondents.

2. The petitioner claims that she is a cultivating tenant in respect of the petition mentioned property. The petitioner appears to have moved the third respondent for entering her name in the record of Tenancy Register. The petitioner appears to have been unsuccessful and she has made an appeal before the second respondent. The appeal is still pending.

3. Be that as it may, the petitioner apprehends that the respondents herein may dispossess her. It is quite possible that at the instance of the actual owners, some survey is being undertaken. That cannot amount to dispossession of the petitioner herein. I make it clear that the petitioner and the actual owners may work out their remedies elsewhere. But it will not be open to the respondents 3 & 5 to dispossess the petitioner herein.

4. Since I dispose of this Writ Petition in the absence of actual owners of the property, I make it clear that any observation made herein will in no way prejudice the owners of the property.

5. With this clarification, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

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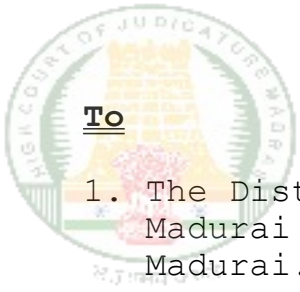
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Sub Assistant Registrar(CS)

vrn

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



- To**
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+1 CC to the Spl GP (SR-15108[F] dated 27/08/2020)

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CS (11.09.2020) 3P 7C