



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.10.2020

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) .No.12768 of 2020

L.Natarajan

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Revenue Divisional Officer,
Thiruvadanai Taluk,
Ramanathapuram.

3.The Tahsildar,
Thiruvadanai Taluk,
Ramanathapuram.

4.The Inspector of Police,
S.P.Pattinam Police Station,
Ramanathapuram District.

5.Saravanan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus forbearing the respondents 1 to 4 from interfering with their peaceful possession and enjoyment of the property in Survey No.110/2, 110/38, 17 situated as their house entrance at Nokkanvayal Village, Thiruvadanai Taluk, Ramanathapuram District.

For Petitioner : Mr.R.Sevugaraja

For Respondents 1 - 4 : Mr.M.Pandiyarajan
Additional Government Pleader\

For Respondent 5 : Mr.R.Anand
for Mr.P.Samuel Gunasingh



O R D E R

This Writ Petition is filed for issuance of a Writ of Mandamus forbearing the respondents 1 to 4 from interfering with the petitioner's peaceful possession and enjoyment of the property in Survey No.110/2, 110/38, 17 situated as their house entrance at Nokkanvayal Village, Thiruvadanai Taluk, Ramanathapuram District.

2.Heard the learned Counsel appearing for the petitioner, Mr.M.Pandiyarajan, learned Additional Government Pleader appearing for the respondents 1 to 4 and Mr.R.Anand, learned Counsel appearing for the fifth respondent. By consent of all the parties, this Writ Petition is disposed of at the admission stage itself.

3.The learned Counsel appearing for the petitioner would submit that the petitioner's paternal father had constructed a house in Survey No.110/12 at Nokkanvayal Village, which is more than 130 years old. He further submitted that in front of the said house, there is a vacant land measuring an extent of 1 cent which was subsequently sub-divided as Survey No.110/38, 17 and classified as *natham poramboke*. The fifth respondent, who has no right over the said vacant land, is trying to get patta for the said land. Though the third and fourth respondents have inspected the said land on 02.06.2020 and found that the said land is in the physical possession of the petitioner, they are trying to disturb the possession of the petitioner in order to support the fifth respondent. Therefore, the petitioner has come forward with this Writ Petition.

4.It is seen from the averments made in the affidavit and the submission made by the learned Counsel appearing for the petitioner, the petitioner has got alternative remedy before the appropriate Civil forum and not before this Court. Therefore, this Court is not inclined to grant the relief sought for in this Writ Petition. However, the petitioner is at liberty to agitate his rights before the appropriate Civil forum in the manner known to law.

5.With the above observation, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

SRM

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Revenue Divisional Officer,
Thiruvadanai Taluk,
Ramanathapuram.

3.The Tahsildar,
Thiruvadanai Taluk,
Ramanathapuram.

4.The Inspector of Police,
S.P.Pattinam Police Station,
Ramanathapuram District.

+1 CC to M/s.P. SAMUEL GUNA SINGH, Advocate (SR-19206[F] dated 06/10/2020)

+1 CC to M/s.GP (SR-19182[F] dated 06/10/2020)

ORDER MADE IN
W.P. (MD) .No.12768 of 2020
05.10.2020

SS CO
SPU (16.10.2020) 3P 7C