



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2021

CORAM

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

WP.NO.17750 OF 2012 AND

MP.NO.1 OF 2012

C.Gopalan

Rep. by his Power Agent,
D.Selvam

...Petitioner

Vs

The Executive Engineer,
Tamil Nadu Slum Clearance Board,
Ramakrishna Road,
Salem 636 007

...Respondent

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a writ of mandamus forbearing the respondent herein from taking possession of the land bearing plot No.276, comprised in survey no.1/15 and as per patta No.292, the present survey no.1/119, situated at Pallappatti Village and now Kandampatti Village, measuring an extent of 2400 sq. ft. situated within the Registration Sub District of Soormangalam and Registration District of Salem West except by due process of law.

For Petitioner : Mr.Nagendra Prasad
for Mr.E.K.Kumaresan

For Respondent : Mr.S.Prabhu,
Standing Counsel

ORDER

This Writ Petition is filed to issue a writ of mandamus forbearing the respondent herein from taking possession of the land bearing plot No.276, comprised in survey no.1/15 and as per patta No.292, the present survey no.1/119, situated at Pallappatti Village and now Kandampatti Village, measuring an extent of 2400 sq. ft. situated within the Registration Sub District of Soormangalam and Registration District of Salem West except by due process of law.



2. The case of the petitioner is that the petitioner purchased the subject property by the sale deed dated 11.09.2007. In pursuant to the said sale deed, he was also issued patta No.292 on 05.10.2010. The respondent attempted to dispossess the residents adjacent to the petitioner's property. They also attempted to interfere and dispossess the petitioner without due process of law. Therefore, the petitioner filed this writ petition forbearing the respondent from taking possession of the subject property.

3. Though the writ petition is pending from the year 2012, the respondent failed to file any counter.

4. Considering the limited prayer sought for in this writ petition, the respondent is directed not to take any action against the subject land bearing plot No.276, comprised in survey no.1/15 and as per patta No.292, the present survey no.1/119, situated at Pallappatti Village and now Kandampatti Village, measuring an extent of 2400 sq. ft. situated within the Registration Sub District of Soormangalam and Registration District of Salem West, except by due process of law, if not already acquired for any other purpose.

5. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No order as to costs.

s/d
Assistant Registrar(CS IV)

True Copy

Sub-Assistant Registrar

lok

To

The Executive Engineer,
Tamil Nadu Slum Clearance Board,
Ramakrishna Road,
Salem 636 007

+1cc to M/S.E.K.Kumaresan, Advocate, SR.No.40194
+1cc to M/S.S.Prabhu, Advocate, SR.No.40286
+1cc to Government Pleader, SR.No.40787

WP.No.17750 of 2012

KSM(CO)
PM(07/09/2021)