

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2021

CORAM : JUSTICE N.SESHASAYEE

W.P.No.8210 of 2021

and WMP.No.8765 of 2021

Mallika

...

Petitioner

Vs.

1.The District Collector
Thiruvallur District.

2.The Revenue Divisional Officer
Thiruthani
Thiruvallur District.

3.The Tahsildar
Thiruthani Taluk
Thiruvallur District.

...

Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents, their men, subordinates or any other person claiming through them from in any way interfering with the peaceful possession and enjoyment of the petitioner over the agricultural land property for an extent of acre 3.06 cents, comprised in S.No.71/2, situated at Gulur Village, Thiruthani Taluk, Thiruvallur District, without following due process of law.

For Petitioner : Mr.V.Logeswaren

For Respondent : Mr.M.Manigopi
Government Advocate

ORDER

The petitioner claims possessory right over a piece of certain extent of property in S.No.71/2 of Gulur Village, Thiruthani Taluk, Thiruvallur District. She claims to be in possession in continuation of the possession of her father-in-law for a total period of about 60 years.

2. Heard the learned counsel for the petitioner. Mr.M.Manigopi, learned Government Advocate takes notice for the respondents and made a statement on instruction that the petitioner is an encroacher of the aforesaid property and not the owner of the property.

3. If the petitioner is an encroacher as alleged by the respondents, then it is imperative that they follow the procedure prescribed under the Tamil Nadu Land Encroachment Act,

1905. In other words, the respondents shall not dispossess the petitioner, except as per the procedure contemplated under the Tamil Nadu Land Encroachment Act.

4. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

ds

To:

- 1.The District Collector
Thiruvallur District.
- 2.The Revenue Divisional Officer
Thiruthani
Thiruvallur District.
- 3.The Tahsildar
Thiruthani Taluk
Thiruvallur District.

+1CC TO M/S.GOVERNMENT PLEADER, SR.NO. 21442

W.P.No.8210 of 2021

PL(CO)
KKN 28.04.2021