



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 24.09.2021

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.19369 of 2021
and W.M.P.No.20663 of 2021

G.Mahadevan

...Petitioner

-vs-

1.The District Collector
Office of the District Collector
Villupuram, Tamil Nadu.

2.The Tahsildar
Vikkiravandi, Villupuram District.

3.The Tahsildar
Villupuram Taluk, Villupuram District.

4.The Block Development Officer
Koliyanur Panchayat Union, Koliyanur
Vikravandi Taluk, Villupuram District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to pass an order on petitioner's patta application, to the lands in S.No.183 to an extent of 1.28 acre of Sengadu Village, Villupuram Taluk, Villupuram District, and not to dispossess the petitioner.

For petitioner : Mr.S.Kamaleshkannan

For respondents: Ms.Akila Rajendran,

Government Counsel for RR1 to 3

Mr.D.Ravichandran, GA for R4

ORDER

(Order of the Court was made by K.KALYANASUNDARAM, J.,)

The petitioner has come forward with this Writ Petition, for issuance of Writ of Mandamus, directing the respondents 1 to 3 to pass orders on his patta application, to the land in Survey No.183 to an extent of 1.28 acre (wrongly stated as 1.28 cents in the petition and affidavit, as submitted by the learned



counsel for the petitioner across the bar) of Chengadu Village, Villupuram Taluk and District, and not to dispossess him till a conclusion is reached in this Writ Petition.

2.The learned Government Counsel appearing for the respondents 1 to 3 would state that the petitioner is an encroacher in Survey No.183 of Chengadu Village, which has been classified as "Paattai Poramboke". Apart from the petitioner, two other persons, viz., Padmanaban, S/o Ramasamy and Rajasekar, S/o Kaliyaperumal have also encroached the property referred to above. The respondents, by following due process of law removed the encroachment.

3.The learned Government Advocate appearing for the 4th respondent produced the notice in Na.Ka.No.1/7796/2020 dated 20.09.2021 and also some photographs to show that the encroachments have been removed.

4.Mr.S.Kamaleshkannan, the learned counsel for the petitioner would state that the petitioner was not served with any notice and that the petitioner is still in possession of the said property. It is also stated that in the year 1978, a resolution was passed by the Panchayat for assignment of the said land in favour of the petitioner.

5.In response, the learned Government Advocate appearing for the 4th respondent fairly submitted that the notice in Na.Ka.No.1/7796/2020 dated 20.09.2021 will be served on the petitioner by registered post.

6.In view of the submission made by the learned Government Counsel appearing for the respondents 1 to 3 and after perusing the documents produced before this Court, we are unable to agree with the submissions of the petitioner.

7.In the result, this Writ Petition is dismissed. No costs. Consequently connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CS-VI)

True Copy

Sub-Assistant Registrar

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To
1.The District Collector
Office of the District Collector
Villupuram, Tamil Nadu.



2.The Tahsildar
Vikkravandi, Villupuram District.

3.The Tahsildar
Villupuram Taluk, Villupuram District.

4.The Block Development Officer
Koliyanur Panchayat Union, Koliyanur
Vikravandi Taluk, Villupuram District.

+1 CC to Mr.S.Kamaleshkannan, Advocate sr 49256.

+1 CC to Mr.D.Ravichandran, Advocate sr 49684.

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RLD(CO)
SP(20/10/2021)