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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.09.2021

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.7020 of 2016

and

W.M.P.No.6228 of 2016

A.Mylathal

...Petitioner

Vs

- 1.The State of Tamilnadu,
Rep.by the Secretary,
The Social Welfare Department,
Chennai.
- 2.The District Collector,
Coimbatore District,
Coimbatore.
- 3.The Chief Engineer,
The Public Works Department,
Town Hall, Coimbatore - 1.
- 4.The Revenue Divisional Officer,
Coimbatore,
Coimbatore District.
- 5.The Tahsildar,
Coimbatore South,
Coimbatore.
- 6.The Executive Engineer,
The Public Works Department,
Building & Maintenance Division,
Town Hall, Coimbatore- 1.
- 7.The Assistant Engineer,
Taluk Section,



The Public Works Department,
Town Hall, Coimbatore - 1.

8. The Head Master,
Government High School,
Marappallam, Madhukarai,
Coimbatore - 105.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India to issue of Writ of Mandamus, forbearing the Respondents, their agents, subordinates, officers and men from in any manner interfering with peaceful possession and enjoyment of the petitioners lands in S.F.No.786, Madhukarai Village, Coimbatore South, Coimbatore Taluk to an extent of 0.43 hectares.

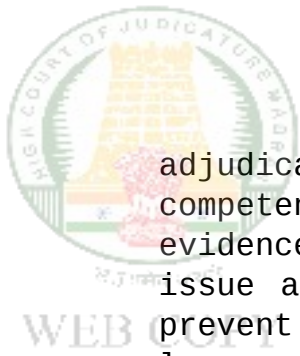
For Petitioner : Mr.S.Kasirajan

For Respondents : Mr.V.Nanmaran
Government Advocate

O R D E R

The relief sought for in the present writ petition is to forbear the Respondents, their agents, subordinates, officers and men from in any manner interfering with peaceful possession and enjoyment of the petitioners lands in S.F.No.786, Madhukarai Village, Coimbatore South, Coimbatore Taluk to an extent of 0.43 hectares.

2. The petitioner claims that she has been in possession and enjoyment of the land described in the prayer. She submitted an application for assignment of the said land. The District Revenue Officer has referred the application to the Tahsildar to take appropriate action. Perusal of the affidavit filed by the petitioner would reveal that she is in possession and enjoyment of the land described in the prayer. She made an application seeking assignment. Assignment of land can never be claimed as a matter of right. If the petitioner claims any title, then also she has to approach the competent Civil Court of law for adjudication of ownership or title. In either of the case, this Court cannot conduct an elaborate enquiry with reference to the title or disputed facts as raised in the writ petition. Such an



adjudication is to be done by the competent Civil Court or by the competent revenue authorities with reference to the documents and evidences made available. High Court in a writ proceedings cannot issue any such declaration or injunction as such sought for to prevent the authorities from initiating action in accordance with law.

3. This being the principles to be followed, the petitioner has not established any right, so as to consider the relief as such sought for in the present writ petition. If at all, the petitioner is aggrieved, she is at liberty to approach the competent Court of law or the authority competent for the purpose of redressal of her grievances.

4. With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary,
The State of Tamilnadu,
The Social Welfare Department,
Chennai.
- 2.The District Collector,
Coimbatore District,
Coimbatore.
- 3.The Chief Engineer,
The Public Works Department,
Town Hall, Coimbatore - 1.
- 4.The Revenue Divisional Officer,
Coimbatore,
Coimbatore District.



5.The Tahsildar,
Coimbatore South,
Coimbatore.

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6.The Executive Engineer,
The Public Works Department,
Building & Maintenance Division,
Town Hall, Coimbatore- 1.

7.The Assistant Engineer,
Taluk Section,
The Public Works Department,
Town Hall, Coimbatore - 1.

8.The Head Master,
Government High School,
Marappallam, Madhukarai, Coimbatore - 105.

+1cc to M/s.K.Ramesh, Advocate, S.R.No.47822

+1cc to the Government Pleader, S.R.No.47833

W.P.No.7020 of 2016

PMK(CO)
SB(05/10/2021)