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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2021

CORAM

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

W.P.No.13314 of 2017
and W.M.P.No.14313 of 2017

Sindhu Theatre,
Rep by its Proprietor,
J. Venkatesan,
Ammanur Village,
Arakkonam Taluk,
Vellore District.

... Petitioner

Vs

1.The Collector,
Vellore District, Vellore.

2.The Tahsildar,
Arakkonam,
Vellore District.

3.The Block Development Officer,
Arakkonam Taluk,
Vellore District.

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus forbearing the respondents from interfering with the petitioner's peaceful possession and enjoyment of patta land comprised in dry S.No. 458/1A1, now S.No.458/20 having an extent of 66.5 cents and 20 cents totally measuring an extent of 86.5 cents, situated at Ammanoor Village, Arakkonam Taluk, Vellore District, until the 2nd respondent conducts a survey of the said land on the basis of petitioner's application dated 25.04.2017 to fix the boundary stone on the petitioner's property.

For Petitioner : Ms.Gowri Shankar

For Respondents : Mr. Richardson Wilson,
Government Advocate



O R D E R

This writ petition is filed to issue a Writ of Mandamus forbearing the respondents from interfering with the petitioner's peaceful possession and enjoyment of patta land comprised in dry S.No. 458/1A1, now S.No.458/20 having an extent of 66.5 cents and 20 cents totally measuring an extent of 86.5 cents, situated at Ammanoor Village, Arakkonam Taluk, Vellore District, until the 2nd respondent conducts a survey of the said land on the basis of petitioner's application dated 25.04.2017 to fix the boundary stone on the petitioner's property.

2. The petitioner owned property comprised in Survey No.458/1A1, now New Survey No.458/20 to an extent of 66.5 cents and 20 cents totally to an extent of 86.5 cents, situated at Ammanoor Village, Arakkonam Taluk, Vellore District which was purchased through a SARFAESI proceedings by a registered sale deed vide Document No.461 of 2007 dated 02.02.2007. Thereafter, the patta was also issued in favour of the petitioner and all the Revenue Records mutated in his name.

3. While being so, the third respondent without any notice or intimation attempted to lay the metal road over the part of the petitioner's patta land to an extent of 20 cents. Therefore, the petitioner filed this writ petition forbearing the respondents from interfering with the petitioner's peaceful possession and enjoyment of his land.

4. Heard Ms.Gowri Shankar, learned counsel for the petitioner and Mr.Richardson Wilson, learned Government Advocate for the respondents.

5. Considering the limited scope of the prayer, the respondents are directed not to interfere in the petitioner's peaceful possession and enjoyment of the patta land comprised in dry S.No.458/1A1, now S.No.458/20 having an extent of 66.5 cents and 20 cents totally measuring an extent of 86.5 cents, situated at Ammanoor Village, Arakkonam Taluk, Vellore District, until the 2nd respondent conducts a survey of the said land on the basis of petitioner's application dated 25.04.2017 to fix the boundary stone on the petitioner's property.



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

Sd/-

Assistant Registrar (CCC)

// True Copy //

Sub Assistant Registrar

rna/mka

To

1.The Collector,
Vellore District, Vellore.

2.The Tahsildar,
Arakkonam,
Vellore District.

3.The Block Development Officer,
Arakkonam Taluk,
Vellore District.

+1CC to The Government Pleader, SR.No. 43412

W.P.No.13314 of 2017
and W.M.P.No.14313 of 2017

JP II(CO)
B.VC (27/09/2021)