

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2021

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.NOS.27237 TO 27239 OF 2017

AND

W.M.P.NO.29090 TO 29092 OF 2017

K.Radhakrishnan ... Petitioner in W.P. No.27237 of 2017
Rajendran Petitioner in W.P. No.27238 of 2017
S.Ramamoorthy ... Petitioner in W.P. No.27239 of 2017

Vs

1. The District Collector,
Thiruvannamalai,
Thiruvannamalai District.
2. The Special Tahsildar,
Adi-Dravidar Welfare,
Polur, Chettupattu Taluk,
Thiruvannamalai District.
3. The Tahsildar,
Chettupattu,
Chettupattu Taluk,
Thiruvannamalai District.
4. The Revenue Inspector,
Chettupattu Taluk,
Thiruvannamalai District.
5. The Village Administrative Officer,
Thumboor, Veerasamanoor Village,
Chettupattu Taluk,
Thiruvannamalai District.

.. Respondents in all petitions

Writ Petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the

respondents not to interfere with the peaceful possession and enjoyment of land in S.Nos.107/4, 107/2B & 108/9C to an extent of 0.18.5 Hec, 0.47.00 Hec & 0.16.50 Hec respectively at Veerasamanoor Village, Polur Taluk without following due process of law.

For Petitioner : Mr. M.Elango
(in all petitions)

For Respondents : Mrs. A.Madhumathi
(in all petitions) Special Government Pleader

C O M M O N O R D E R

These petitions are filed for the issuance of Writ of Mandamus directing the respondents not to interfere with the peaceful possession and enjoyment of land in S.Nos.107/4, 107/2B & 108/9C to an extent of 0.18.5 Hec, 0.47.00 Hec & 0.16.50 Hec respectively, at Veerasamanoor Village, Polur Taluk without following due process of law.

2. Having regard to the nature of relief that can be granted in favour of these Writ Petitions, this Court is inclined to take up the matter without elaborately going into the petitioner's case.

3. The petitioners in the respective Writ Petitions states that they are the owners of the respective lands. The petitioners states that they got patta and the petitioners' name are also shown as 'Pattadhar'. However, it is stated that the respondents are threatening to evict the petitioners in order to accommodate some Adi Dravidars who have applied for free house site patta. Hence, the petitioners have approached this Court by filing these Writ Petitions only to forbear the respondents from interfering with the peaceful possession and enjoyment of the petitioners in respect of their respective lands otherwise than by following due process of law.

4. Learned Special Government Pleader appearing for the respondents have no objection for granting a direction to the respondents not to interfere with the possession of the petitioner otherwise by following due process of law.

5. The petitioners have produced before this Court the revenue documents showing that they are in possession of the property. In such circumstances, it is not known how the respondents could grant free house site patta to strangers. Having regard to the position that the respondents have now recognised the right of petitioners, this court is of the view

that the petitioners' possession as the owner of the property has to be protected. This Court is inclined to allow these Writ Petitions. The respondents are directed not to interfere with the peaceful possession of the petitioners in respect of the lands in their enjoyment otherwise than by following due process of law.

6. These Writ Petitions are allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Thiruvannamalai,
Thiruvannamalai District.
2. The Special Tahsildar,
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Polur, Chettupattu Taluk,
Thiruvannamalai District.
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5. The Village Administrative Officer,
Thumboor, Veerasamanoor Village,
Chettupattu Taluk,
Thiruvannamalai District.

+1cc to the Government Pleader, S.R.No.6654

W.P.Nos.27237 to 27239 of 2017

GPL(CO)
CS/29/03/2021