



W.P.No.13474 to 13476 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.13474 to 13476 of 2015
and M.P.No.1 of 2015 (3 petitions)

C.Chinnusamy ... Petitioner in W.P.No.13474/2015
V.Muthusamy ...Petitioner in W.P.No.13475/2015
V.Subramani ...Petitioner in W.P.No.13476/2015

Vs.

- 1.The District Collector,
Namakkal District, Namakkal.
- 2.The Revenue Divisional Officer,
Tiruchengode, namakkal District.
- 3.The Superintendent of Police,
Namakkal District, Namakkal.
- 4.The Inspector of Police,
Tiruchengode Rural Police Station,
Tiruchengode,
Namakkal District.
- 5.P.Selvaraj
- 6.M.Senthilkumar
- 7.S.Kandasamy
- 8.N.Nagarajan
- 9.C.Sengoda gounder
- 10.V.Murugesan
- 11.M.Bharathkumar
- 12.V.Sankarganesh
- 13.Mohan
- 14.Arul
- 15.Chinnusamy

... Respondents



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COMMON PRAYER: This Writ Petition filed under Section 226 of Constitution of India, pleased to issue a Writ of Mandamus directing the respondents 1 to 4 to take action against the respondents 5 to 15 for their conduct of ostracism and ensure protection to petitioners life property and to the petitioners family members from the high-handedness action of the respondents by considering petitioners representations dt 13.1.2015 13.2.2015 and 18.3.2015.

For Petitioner in all W.Ps : Mr.N.Manoharan

For RR1 to RR4 in all W.Ps : Mr.G.Krishna Raja
Additional Government Pleader

For RR5 to RR15 in all W.Ps : Mr.S.Hemalatha

Common Order

The petitioners have filed these petitions for issuance of writ of Mandamus directing the respondents 1 to 4 to take action against the respondents 5 to 15 for their conduct of ostracism and ensure protection to petitioners life property and to the petitioners family members from the high-handedness action of the respondents by considering petitioners representations dt 13.1.2015 13.2.2015 and 18.3.2015.



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2. The case of the petitioners is that they are the owners of the certain extents of agricultural lands in different survey numbers of Devanankurichi Village, Tiruchengode Taluk, Namakkal District and the said property is their ancestral property and the petitioners are in possession and enjoyment of the same and on the close proximity of the said lands, there exists a cart track laid by the ancestors and other co-sharers for their exclusive usage. While so, some of the private respondents herein along with others made an attempt to lay a road over their private property without any authority of law. Having left with any other option, the petitioners had filed a Civil Suit on 23.01.2015 in O.S.Nos.21 and 25 of 2015, on the file of the learned District Munsif Court, Tiruchengode, for the relief of permanent injunction restraining the defendants therein from in any way interfering with their peaceful possession and enjoyment of the property and the said Suit is pending for adjudication. It is the further case of the petitioner that the private respondents have created danger to the life and property of the petitioners and therefore, on an earlier occasion, before filing the Civil Suit, the petitioners have approached the respondents 1 to 4 by way of complaints dated 13.02.2015 and d18.03.2015, however till date no action has been taken on the said complaints also. Aggrieved by the illegal act of the private respondents, the petitioners are before this Court.



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3. The learned counsel appearing for the petitioners submitted that already the Civil Suits are pending before the Trial Court in O.S.Nos.21 and 25 of 2015, on the file of the District Munsif Court, Tiruchengode and hence this Court may permit the petitioners to canvass all the points before the Civil Court for their relief.

4. The learned Additional Government Pleader has no serious objections for the said order being passed.

5. In view of the above, this Court without going into the merits of the issue, permits the petitioners to canvass all the points before the Civil Court in the pending Suits in O.S.Nos.21 and 25 of 2015. on the file of the District Munsif Court, Tiruchengode, and further the petitioners are granted liberty to file appropriate application before the Trial Court, if the private respondents interfered with the petitioners' rights during the pendency of the Suit.

6. These Writ Petitions are disposed of with the above terms. No costs. Consequently connected miscellaneous petitions are closed.

21.06.2022

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To

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M.DHANDAPANI,J.

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