

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.14208 OF 2015

AND

M.P.NO.1 OF 2015

G.Sankaralingam

...Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Perambalur District, Perambalur.
2. The Revenue Divisional Officer,
Perambalur Division, Perambalur.
3. The Tahsildhar,
Veppanthattai Taluk,
Veppanthattai, Perambalur District.
4. C.Kandasamy

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st, 2nd and 3rd respondents not to interfere or disturb the possession of the property of the petitioner or to insist the petitioner to vacate the property by adopting high handed manner.

For Petitioner : No Appearance

For Respondents : Mr.P.Sathish, AGP, for R1 to R3

O R D E R

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus to direct the respondents 1-3 not to interfere or disturb the possession of the petitioner's property or to insist the petitioner to vacate the property by adopting high handed manner.

2. The case of the petitioner is that, he claims to be the owner of the subject property and the same was purchased by his father namely, Govindasamy from one Kannammal, vide, registered sale deed Doc.No.590 of 1997 dated 10.04.1997. After, the demise of his father and mother, the petitioner being the sole legal heir of said Govindasamy, is in complete possession and enjoyment of the said property. Whiles, on 27.04.2015, 3rd respondent came to the petitioner's property, based on the instructions of the 2nd respondent and insisted the petitioner to vacate the property without any particular reason. Aggrieved by the same, the petitioner made representation dated 30.04.2015 before the 1st respondent with a copy of the same to 2nd and 3rd respondents, seeking direction to the 2nd and 3rd respondents, not to interfere with the petitioner's possession. However, till date, no orders have been passed on the same. Hence, the present petition is filed.

3. Though none appeared on behalf of the petitioner today, taking into consideration the long pendency of the matter before this Court and the limited relief sought for by the petitioner, the matter is taken up for final hearing.

4. Learned Additional Government Pleader appearing on behalf of the respondents 1 to 3 fairly submitted that, the petitioner's possession will not be disturbed without following the due process of law.

5. In view of the fair stand taken by the learned Additional Government Pleader, this Court without expressing any opinion on the merits of the case directs the respondents 1 to 3 not disturb the petitioner's possession without following the due process of law and if the petitioner is still in possession, he shall not be evicted without following the due process of law.

6. Accordingly, this writ petition is closed. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

skt

To

1. The District Collector,
Office of the District Collector,
Perambalur District, Perambalur.
2. The Revenue Divisional Officer,
Perambalur Division, Perambalur.
3. The Tahsildhar,
Veppanthattai Taluk,
Veppanthattai, Perambalur District.

+1cc to the Government Pleader, S.R.No.38980

W.P.No.14208 of 2015
and
M.P.No.1 of 2015

RR(CO)
PM/13/07/2022