



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.01.2022

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.5678 of 2018
and
W.M.P.No.7026 of 2018

Devaki

... Petitioner

Vs.

1.The District Collector,
Cuddalore, Cuddalore District.

2.The District Revenue Officer,
Cuddalore, Cuddalore District.

3.The Revenue Divisional Officer,
Virudhachalam, Cuddalore District.

4.The Tahsildhar,
Thittakudi Taluk,
Cuddalore, Cuddalore District.

... Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents either jointly or severally from interfering with the petitioner peaceful possession and enjoyment in respect of the survey No.88 measuring to an extent of 1 acre 50 cents in Gramanatham situated in Perumalai Village, Thittakudi Taluk, Cuddalore District without following due process of law.

For Petitioner : M/s.D.Malarvizhi

For Respondents : Mrs.C.Meera Arumugam

O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus, to forbear the respondents either jointly or severally from interfering with the petitioner's peaceful possession and enjoyment in respect of the survey No.88 measuring to an extent of 1 acre 50 cents in Gramanatham situated in Perumalai Village, Thittakudi Taluk, Cuddalore District without following due process of law.



2. The case of the petitioner is that she purchased the land measuring an extent of 2.75 acres, from three different persons and she was in possession and enjoyment of the said land. Subsequently, in the year 2015, the respondents acquired 1 acre of land and in the remaining 1.75 acres of land, the petitioner has been carrying on with the agricultural activities. All of a sudden, the petitioner came to know that the respondents were attempted to acquire the petitioner's land without following the due process of law and in enquiry, the respondents stated that the petitioner's land was already acquired for Samathuvapuram. It is a Gramanatham land and therefore, the Adangal also stands in the name of the petitioner. The petitioner also made representation on 09.02.2018 raising objections against the illegal action of the respondents. However, since the objections of the petitioner were not considered, the petitioner is constrained to approach this Court by virtue of the present writ petition.

3. On the other hand, the learned Additional Government Pleader appearing for the respondents would submit that in the event if any such eviction order is passed, no such order will be implemented, without following the due process of law.

4. In view of the above submissions, the respondents are directed not to evict the petitioner from S.No.88 measuring to an extent of 1.50 acres in Gramanatham situated in Perumalai Village, Thittakudi Taluk, Cuddalore District, without following the due process of law.

5. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

Pns

To

1.The District Collector,
Cuddalore, Cuddalore District.

2.The District Revenue Officer,
Cuddalore, Cuddalore District.



3.The Revenue Divisional Officer,
Virudhachalam, Cuddalore District.

4.The Tahsildhar,
Thittakudi Taluk,
Cuddalore, Cuddalore District.

+1cc to M/s.D.Malarvizhi, Advocate SR.No.1554

+1cc to Government Pleader SR.No.1995

W.P.No.5678 of 2018
and
W.M.P.No.7026 of 2018

MT (CO)
GMY (11/02/2022)