



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. NO.9941 OF 2022

AND

W.M.P.NO.9666 OF 2022

Pugazhenth

... Petitioner

Vs.

1. The District Collector,
Chengalpattu District.
2. The Revenue Divisional Officer,
Madhuranthakam,
Chengalpattu District.
3. The Tahsildar,
Madhuranthakam Taluk,
Chengalpattu District.
4. The Revenue Inspector,
Mathduranthakam,
Chengalpattu District.

... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus forbearing the respondents from arbitrarily enter into our patta land, lay road or any manner interfering or disturbing our peaceful possession and enjoyment of property measuring about 2.04 Acres in Survey No.44/2, 44/3A, 44/4 corresponding to T.S.No.15/5, 16/3, in Ward C, Block No.9, of Mambakkam Village, Madhurandagam Taluk, Chengalpattu District.

For Petitioner : Mr.R.Prabakar

For Respondents : Mr.A.Anandan
Government Advocate



O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus forbearing the respondents from arbitrarily entering petitioner's property, lay road or any manner interfering or disturbing petitioner's peaceful possession and enjoyment of property measuring about 2.04 Acres in Survey No.44/2, 44/3A, 44/4 corresponding to T.S.No.15/5, 16/3, in Ward C, Block No.9, of Mambakkam Village, Madhurandagam Taluk, Chengalpattu District.

2. The case of the petitioner is that the petitioner's grandfather one Chinnappa Naicker was the original owner of the above said property of an extent of 2.04 Acres situated at Chengalpattu District. After his demise, petitioner's father was in possession of the subject property. On 14.11.2021 petitioner's father died intestate leaving behind his legal heirs. Thereafter, petitioner and other legal heirs were in possession and enjoyment of the said property. While that being so, the Patta in respect of the subject property stands in the name of petitioner's father. Since the respondents gave hindrance to the petitioner's property, he made representation to the first respondent dated 06.04.2022 to forbear the respondents from arbitrarily entering into his property. However, till date the said representation was not considered. While so, the petitioner has come up with the present Writ Petition seeking the aforesaid relief.

3. Today when the matter was taken up for hearing the learned Government Advocate appearing for respondents submitted that if the title of the property is in favour of the petitioner, his possession will not be disturbed without due process of law.

4. Recording the submission made by the learned Government Advocate appearing for the respondents, this Writ Petition is closed. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Chengalpattu District.
2. The Revenue Divisional Officer,
Madhuranthakam,
Chengalpattu District.
3. The Tahsildar,
Madhuranthakam Taluk,
Chengalpattu District.
4. The Revenue Inspector,
Mathduranthakam,
Chengalpattu District.

+1cc to Mr.R.Prabakar, Advocate, S.R.No.28320

+1cc to the Government Pleader, S.R.No.28873, 28884

W.P. No.9941 of 2022

KV (CO)
PM/30/05/2022