



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2022

CORAM:

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P. No.10827 of 2022

and

WMP No.10458 of 2022

A. Babu

... Petitioner

Versus

1. The District Collector,
Ranipet District, Ranipet.

2. The Executive Engineer,
P.W.D. Water Resources Organisation,
Ground Water Division,
Vellore.

3. The Tahsildar,
Sholinghur Taluk,
Ranipet District.

4. The Velam Pudur Village Panchayat,
Rep. By its President,
Velam Pudur Village,
Sholinghur Taluk,
Ranipet District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, forbearing the respondents from interfering with the petitioner's peaceful possession and enjoyment of patta land comprised in S. No.251/2 of an extent of 0.37 ½ acres, S. No.251/4 of an extent of 0.31 acres, S. No.251/1B of an extent of 0.14 acres, S. No.251/2 of an extent of 12 ½ acres, S. No.257/3A of an extent of 0.14 acres, S. No.251/2 of an extent of 12 ½ acres, S. No.257/3A of an extent of 0.14 acres, S. No.259/2 of an extent of 0.07 ½ acres, S. No.259/3A of an extent of 0.04 acres, S. No.259/1B of an extent of 0.11 acres, S. No.259/4B of an extent of 0.22 ½, S. No.259/5A of an extent of 0.04, S. No.252/4 of an extent of 0.27 ½ acres, besides a well in S. No.251/1 all situated at Vellam Pudur Village, Sholinghur Taluk, Ranipet District, on the basis of petitioner's representation dated 12.01.2022 except by due process of law by acquiring the petitioner's property in a manner known to law.



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For Petitioner : Mr.G. Jeremiah
For Respondents : Mr.R.Vigneswaran,
Govt. Advocate
Mr.T.N.C. Kaushik
Addl. Govt. Pleader for R4

ORDER

This writ petition has been filed for a direction to the respondents to forbear the respondents from interfering with the petitioner's peaceful possession and enjoyment of patta land comprised in S. No.251/2 of an extent of 0.37 ½ acres, S. No.251/4 of an extent of 0.31 acres, S. No.251/1B of an extent of 0.14 acres, S. No.251/2 of an extent of 12 ½ acres, S. No.257/3A of an extent of 0.14 acres, S. No.251/2 of an extent of 12 ½ acres, S. No.257/3A of an extent of 0.14 acres, S. No.259/2 of an extent of 0.07 ½ acres, S. No.259/3A of an extent of 0.04 acres, S. No.259/1B of an extent of 0.11 acres, S. No.259/4B of an extent of 0.221/2, S. No.259/5A of an extent of 0.04, S. No.252/4 of an extent of 0.27 ½ acres, besides a well in S. No.251/1 all situated at Vellam Pudur Village, Sholinghur Taluk, Ranipet District, on the basis of petitioner's representation dated 12.01.2022 except by due process of law by acquiring the petitioner's property in a manner known to law.

2. The case of the petitioner is that his father had purchased the agricultural lands situated at Vellam Pudur Village under a registered sale deed bearing Doc. No.7762/11 and as such his father is in occupation and enjoyment of the subject lands. While so, after his father's demise, Patta No.17 has been jointly issued in the names of his mother, his eldest son and other sons and now some third parties are attempting to occupy the property belonging to his family members. In such circumstances, he submitted a representation ventilating his grievance to the respondents, which has not been responded, till date. Hence, this writ petition has been filed with the aforesaid prayer.

3. Learned counsel for the petitioner submitted that without any acquisition proceedings, the respondents are trying to interfere with the possession and enjoyment of the petitioner's property, which is illegal and unsustainable. He further submits that this Court may issue appropriate orders to the respondents that the petitioners may not be evicted from their property without following due process of law.

4. Replying to the contention raised by the learned counsel for the petitioner, learned Government Advocate appearing for the respondents, on instructions submitted that



the petitioner's possession will not be disturbed without following due process of law and he has no objection for issuance of appropriate direction.

5. Recording the submission made by the learned Government Advocate, this writ petition is disposed of by directing the respondents not to evict the petitioner without following due process of law. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar (CS-VIII)

\\ True Copy \\

Sub-Assistant Registrar

vsi2

To

1. The District Collector,
Ranipet District,
Ranipet.

2. The Executive Engineer,
P.W.D. Water Resources Organisation,
Ground Water Division,
Vellore.

3. The Tahsildar,
Sholinghur Taluk,
Ranipet District.

4. The Velam Pudur Village Panchayat,
Rep. By its President,
Velam Pudur Village,
Sholinghur Taluk,
Ranipet District.

+1cc to Mr.G.Jeremiah, Advocate SR.No.29358
+1cc to Government Pleader SR.No.30464

W.P. No.10827 of 2022

JPL (CO)
GN (26/05/2022)