



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2022

CORAM

THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN

WP.No.11475 of 2020 and
WMP.Nos.14009 & 14019 of 2020

1.M.Lalithammal
2.Pushpalatha
3.Sujatha
4.Mahila
5.Deepa

...Petitioners

Vs

1. The District Collector,
Vellore District,
Vellore

2. The Special Tahsildar(ADW),
Gudiyatham Taluk Office,
Gudiyatham
Vellore District

...Respondents

Prayer :-

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondents from taking possession of the petitioner's land bearing survey No.53 of Kondasamudaram Village, Gudiyatham Taluk with an extent of 2 acres 30 cents without due process of law.

For Petitioners : M/s.T.Sreelekha
For Respondents : Mr.G.Krishna Raja,
Additional Government Pleader

ORDER

This writ petition is filed for direction forbearing the respondents from taking possession of the petitioner's land bearing survey No.53 of Kondasamudaram Village, Gudiyatham Taluk with an extent of 2 acres 30 cents without due process of law.

2. Heard, M/s.T.Sreelekha, the learned counsel for the petitioners and Mr.G.Krishna Raja, Additional Government Pleader appearing for the respondents.



3. The case of the petitioners is that they owned property comprised in survey No.53 to an extent of 2.30 acres situated at Kondasamudaram Village, Gudiyatham Taluk. They were also issued patta under patta No.188. While being so, the second respondent attempted to enter into the petitioners' property and trying to put up construction. Therefore, the petitioners filed this writ petition forbearing the respondents from taking possession of the petitioners' land without due process of law.

4. The second respondent filed counter and Mr.G.Krishna Raja, Additional Government Pleader appearing for the respondents submitted that the petitioners intended to execute a private negotiation agreement with the first respondent to acquire the subject land and also handed over unregistered document to the second respondent. While making field inspection by the second respondent, found that the subject land classified as 'Odai poramboke' and the petitioners are not owners of the said property. However, they were granted patta under patta No.188. The said land was located on the border of Pichanoor Village and it is nearby Kondasamudram Village border. Therefore, they wrongly decided that the lands in survey No.53 located at Kondasamudram Village instead of survey No.53 of Pichanoor Revenue Village. Therefore, the second respondent has not made attempt to enter into the land of the petitioners comprised in survey No.53 of Pichanoor Village.

5. Recording the above submissions, this writ petition is closed. Consequently, connected miscellaneous petitions are also closed. No order as to costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

lok

To

1.The District Collector,
Vellore District,
Vellore

2.The Special Tahsildar(ADW),
Gudiyatham Taluk Office,
Gudiyatham
Vellore District

+lcc to the Government Pleader, S.R.No.3067

WP.No.11475 of 2020

RR(CO)

KKV/03/02/2022