



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.NO.14818 OF 2022

AND

W.M.P.NO.14247 OF 2022

1. S.Kaliyammal

2. N.Sagunthala

... Petitioners

.Vs.

1. The District Collector,
Salem District Collectorate,
Salem District.

2. The Tahsildar,
Salem West Taluk,
Salem District.

3. The Block Development Officer,
Salem Panchayat Union,
Kollapatti,
Salem West Taluk,
Salem District.

4. The President,
Inam Vedugathampatti,
Salem Panchayat Union,
Salem West Taluk & District.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus forbearing the respondents and their subordinates from interfering with the petitioners peaceful possession and enjoyment of the Patta lands comprised in S.No.74/5 having an extent of 14.5 cents under Patta No.589, situated at Inam Vedugathampatti, Salem Taluk, Salem District, except by due process of law.



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For Petitioners : Mr.D.Suriyanarayanan

For Respondents : Mr.A.Anandan
Government Advocate
For R1 and R2

Mr.R.Kumaravel
For R3 and R4

ORDER

This writ petition has been filed seeking for issuance of a Writ of Mandamus to forbear the respondents and their subordinates from interfering with the petitioners peaceful possession and enjoyment of the Patta lands comprised in S.No.74/5 having an extent of 14.5 cents situated at Inam Vedugathampatti, Salem Taluk, Salem District, except by due process of law.

2. The case of the petitioners is that first petitioner's husband one late N.Siddhan and the second petitioner's husband one Nanjappan are the joint owners of the property in S.No.74/5 of an extent of 14.5 cents jointly situated at above said Village. Thereafter, first petitioner's husband and second petitioner's husband died in the year 1978 and 2006 respectively leaving behind their legal heirs. Thereafter, the legal heirs of first and second petitioners are in possession and enjoyment of the above said property. However, the 4th respondent being the President of the said Village, in order to approach the Anathinam land in S.No.74/7 which belongs to one Ammasi of very same village, threatened the petitioners stating that he is going to lay a road in the petitioners patta land. Hence the petitioners submitted their objections to the respondents vide registered post on 03.06.2022. Since the same has not evoked any response from the respondents, the petitioners have filed the present Writ Petition seeking the aforesaid relief.

3. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioners submits that it would suffice if this Court issues direction to the respondents to forbear them from interfering with the petitioners land comprised in S.No.74/5 of an extent of 14.5 cents situated in above said Village.

4. The learned Government Advocate appearing for respondents 1 and 2 and the learned Additional Government Pleader appearing for respondents 3 and 4 submitted that petitioners property will not be disturbed without due process of law.



5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. Recording the fair submission made by the learned counsel appearing for respondents, this Writ Petition is closed. No costs. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

RAP

To

1. The District Collector,
Salem District Collectorate,
Salem District.
2. The Tahsildar,
Salem West Taluk,
Salem District.
3. The Block Development Officer,
Salem Panchayat Union,
Kollapatti,
Salem West Taluk,
Salem District.
4. The President,
Inam Vedugathampatti,
Salem Panchayat Union,
Salem West Taluk & District.

+1cc to M/s.Sunlaw Associates, Advocate, S.R.No.36030
+1cc to the Government Pleader, S.R.No.37692

W.P.NO.14818 OF 2022

SMI (CO)
PBS/04/07/2022