



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P. No.13467 of 2020
W.M.P.Nos.16635 of 2020

1. Narayanan
2. Anumanthan

... Petitioners

-Vs-

1. The Collector,
Salem District,
Salem.
2. The Revenue Divisional Officer,
Mettur,
Salem District.
3. The Tahsildar,
Kadiyampatti Taluk Office,
Salem District.
4. The Village Administrative Officer,
Kanjayakkanpatti,
Omalur Taluk,
Salem District.
5. The Assistant District of
Animal Husbandry Department,
Salem.
R5 Suo Motu impleaded vide
order dated 28.10.2020 made in
W.P.No. 13467 of 2020 and
W.M.P.No.16635 of 2020)

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the respondents from evicting the petitioners from the agricultural lands in S.No.207 to the extent of 5 acres at Kanjanayakkanpatti Village, Omalur Taluk, Salem District without following the due process of law.



WEB COPY

For Petitioners : Mr.V.Elangovan

For Respondents : Mr.V.Jeevagiridharan
Additional Government Pleader

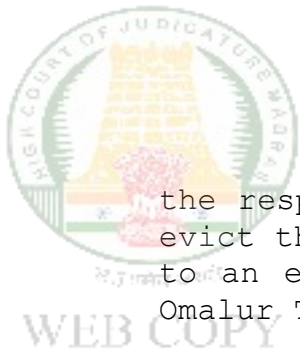
ORDER

The Writ Petition has been filed to forbear the respondents from evicting the petitioners from the agricultural lands in S.No.207 to the extent of 5 acres at Kanjanayakkanpatti Village, Omalur Taluk, Salem District, without following the due process of law.

2. The case of the petitioners is that they are in possession and enjoyment of the land comprised in S.No.207 to an extent of 5 acres situated at Kanjanayakkanpatti Village, Omalur Taluk, Salem District. The above land is classified as Mechal Tarari Poramboke in the Revenue Records. However, the respondents are trying to evict the petitioners from the land without following any procedure of the law laid down. Therefore, the petitioners filed this present Writ Petition with the above said prayer.

3. Heard Mr.V.Elangovan, learned counsel appearing for the petitioners and Mr.Mr.V.Jeevagiridharan, learned Additional Government Pleader appearing for the third respondents.

4. On instructions, the learned Additional Government Pleader appearing for the respondents submitted that the land comprised in S.No.207 to an extent of 5 acres situated at Kanjanayakkanpatti Village, Omalur Taluk, Salem District, is classified as Mechal Tarai Poramboke and it is under the control of the Assistant Director, Tamil Nadu Animal Husbandry Department, Omalur and the Regional Joint Director, Animal Husbandry Department, Salem. Further the first respondent by his proceeding dated 24.07.2020 in Na.Ka.No.32061/2019K2, permitted the subject land to form Food Processing Scheme under Pradhan Manthiri Kissan Sampada Yojana Scheme. Accordingly, the said land was handed over to the Agricultural Marketing and Agri Business Department by the Animal Husbandry Department by exchanging the property comprised in Survey No.190/1 ad measuring 6.5 hectare classified as un-assessed Tharisu Kundru Poramboke now classified as Mechal Tarai Poramboke.



5. Considering the above facts and circumstances, the respondents are directed to follow the due process of law to evict the petitioners from the subject land comprised in S.No.207 to an extent of 5 acres situated at Kanjanayakkanpatti Village, Omalur Taluk, Salem District.

6. With the above directions, the Writ Petition stands disposed of. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar

rts

To

1. The Collector,
Salem District,
Salem.
2. The Revenue Divisional Officer,
Mettur,
Salem District.
3. The Tahsildar,
Kadiyampatti Taluk Office,
Salem District.
4. The Village Administrative Officer,
Kanjanayakkanpatti,
Omalur Taluk,
Salem District.
5. The Assistant District of
Animal Husbandry Department,
Salem.

+1cc to Mr.V.Elangovan, Advocate SR.No.2558
+1cc to the Government Pleader, SR.No.3077

W.P. No.13467 of 2020
W.M.P.Nos.16635 of 2020

PL(CO)
CB(31/01/2022)