



W.P.No.31251 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2022

CORAM:

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

W.P.No.31251 of 2014

and

M.P.No.1 of 2014

S.Chitra

. . . Petitioner

Vs.

1. Tahsildar,
Attur Taluk,
Attur,
Salem District.

2. Revenue Inspector,
Ethappur,
Attur Taluk,
Salem District.

3. Kalaivani

. . . Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a writ or order in the nature of writ of Mandamus forbearing the Respondents 1 & 2 and other officials tracing power under them from anyway attaching the petitioner's property having an extent of 660 Sq.ft land with RCC roof building situated in Re-survey No.119/7B1 with Door



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No.31/30 in Periya Krishnapuram village, Attur Taluk in Salem District and in any manner disturbing her peaceful possession and enjoyment over the said property, under the guise of attachment pursuant to the Distriant Order dt.23.10.2014 in Ki.Pa.13/2014 on the file of the 2nd Respondent or by any other order.

For Petitioner : Mr.N.Naganathan
for M/s.N.Santhi

For Respondents : M/s.Akila Rajendran,
Government Advocate

ORDER

The present petition has been filed seeking a direction forbearing the respondents 1 & 2 from attaching the petitioner's property which is the subject property of this Writ Petition and disturbing her peaceful possession and enjoyment over the said property, under the guise of attachment pursuant to the Distriant Order dt.23.10.2014 which came to be passed by the 2nd respondent.

2. It is the case of the petitioner that, as a result of certain proceedings initiated between the petitioner's brother and his wife, a distriant order came to be passed by the 2nd respondent to attach the properties belonging to the



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petitioner's brother. Based on the said order, the 2nd respondent along with the concerned Village Administrative Officer, is trying to attach the property belonging to the petitioner, however, the petitioner's brother is no way connected to the said property. Objecting the same, the petitioner made a representation dated 18.11.2014 to respondents 1 & 2. However, till date, the same has not been considered. Hence, the petitioner has come up with the present petition.

3. Learned counsel for the petitioner submits that, though the petitioner's brother is no way connected to the property belonging to the petitioner, however, at the instance of the 3rd respondent, the 2nd respondent is trying to attach the petitioner's property without following due process of law.

4. Learned Government Advocate appearing for the respondents submits that the petitioner's possession of the subject property will not be interfered without following due process of law.



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5. Recording the above submission made by the learned Government Advocate appearing for the respondents, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

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NHS

Index : Yes / No

Internet : Yes / No

To

1. Tahsildar,
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Attur,
Salem District.
2. Revenue Inspector,
Ethappur,
Attur Taluk,
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M.DHANDAPANI, J.

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