



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.14559 of 2014

And

M.P.No.1 of 2014

Muthurangan

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Anti-Land Grabbing Special Cell,
Nagapattinam District.

2.The Inspector of Police,
Anti-Land Grabbing Special Cell,
Nagapattinam District.

3.Sacred Heart Marry Convent
Rep. by its Mother Superior

4.Sister Perianayaga Marry

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of second respondent in his proceedings in C.No.175/14/ALGSC/NGT/ 2014 dated 08.05.2014 and quash the same and consequently forbear the respondents 1 and 2 from forcing petitioner to vacate the tenancy lands with an extent of 2 acre 70 cents comprised in S.No.188/1 (0.18 cents), S.No.188/2 (0.34 cents) and S.No.189/1 (2 acre and 18 cents) in Nallathukudi Village, Mayiladuturai Taluk, Nagapattinam District and hand over the same to fourth respondent.

For Petitioner : M/s.S.Sounthar

For Respondents : Mr.A.Anandan
Government Advocate
Fr.A.Xavier Arulraj for R3 and R4



O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records of the second respondent in his proceedings in C.No.175/14/ALGSC/NGT/2014 dated 08.05.2014 and to quash the same and to consequently forbear the respondents 1 and 2 from forcing the petitioner to vacate the tenancy lands with an extent of 2 acre 70 cents comprised in S.No.188/1 (0.18 cents), S.No.188/2 (0.34 cents) and S.No.189/1 (2 acre and 18 cents) in Nallathukudi Village, Mayiladuturai Taluk, Nagapattinam District and hand over the same to fourth respondent.

2.The case of the petitioner is that the petitioner is the cultivating tenant in the lands belonging to the third respondent and his name has also been recorded as cultivating tenant under Form V of the Tamil Nadu Agricultural Lands Records of Tenancy Rights Act. Whileso, the fourth respondent lodged false complaint to the second respondent alleging that the petitioner has illegally grabbed the lands belonging to the third respondent, based on which, the second respondent issued the impugned summons to the petitioner. Challenging the same, the petitioner has filed this petition.

3.The learned counsel appearing for the petitioner submitted that the petitioner is ready to produce all the necessary documents before the second respondent and upon satisfaction, the second respondent may conclude the enquiry after providing opportunity to the respondents 3 and 4, if not concluded already.

4.In view of the above, this writ petition is closed with liberty to the petitioner to produce all the necessary documents before the second respondent. Thereafter, the second respondent shall pass appropriate orders, in accordance with law, if not passed already. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

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To

1.The Deputy Superintendent of Police,
Anti-Land Grabbing Special Cell,
Nagapattinam District.

2.The Inspector of Police,
Anti-Land Grabbing Special Cell,
Nagapattinam District.

+1cc to Mr.S.Sounthar, Advocate SR.No.16156

+2ccs to M/s.Fr.A.Xavier Arulraj, Advocate SR.No.16053

W.P.No.14559 of 2014
And
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VBM(CO)
GMY(05/04/2022)