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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.14757 of 2014

and

MP.No.1 of 2014

1.M.Ravji Patel

2.R.Gowri ben

... Petitioners

Vs.

1. State of Tamil Nadu rep.by its  
Secretary, Revenue Department,  
Fort St.George, Chennai 600 009.

2. The Chairman,  
TANGEDCO,  
Tamil Nadu Electricity Board,  
Anna Salai, Chennai 600 002.

3. The Collector,  
Tiruvallore District,

4. The Revenue Divisional Officer,  
Ambattur, Tiruvallore District.

5. The Tahsildar,  
Madhavaram Taluk Office,  
Madhavaram.

6. The Revenue Inspector,  
Redhills,  
Tiruvallore District.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents from taking possession of the property or interfering with the peaceful possession enjoyment occupation and use of the property comprised in Survey No.87/1B3 situate at Mathur Village, Ambattur Taluk, Thiruvallur District, by the petitioners.

For Petitioner : Mr.S.R.Rajagopal



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For R1 & 3 to 6 : Mr.A.Anandan  
Government Advocate

For R2 : Mr.L.Jaivenkatesh,  
Standing Counsel (TANGEDCO)

O R D E R

The petitioner has filed this petition for issuance of writ of Mandamus forbearing the respondents from taking possession of the property or interfering with the peaceful possession, enjoyment, occupation and use of the property comprised in Survey No.87/1B3, situate at Mathur Village, Ambattur Taluk, Thiruvallur District, by the petitioners.

2. The case of the petitioners is that the petitioners are the absolute owners and in peaceful possession of the above said property and they came to know that the respondents claimed to have made acquisition for the purpose of setting up of a sub station for TNEB and thereby, the petitioners approached the respondents 4 and 5 and enquired about the same, however they failed to give any proper reply. Since there is a genuine apprehension that the respondents would dispossess the petitioners, the petitioners are before this Court.

3. The learned counsel appearing for the petitioners submitted that this Court may issue direction to the respondents, not to interfere with the petitioners' peaceful possession, without due process of law and prays for appropriate orders in that regard.

4. The learned counsel appearing for the respondents submitted that the acquisition will be carried out after following the due process of law.

5. Considering the facts and circumstances of the case, this Court without going into the merits of the case, directs the respondents not to evict the petitioner without following the due process of law. This Writ Petition is disposed of accordingly. No costs. Consequently connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar (CS-IX)

//True Copy//

sk

Sub Assistant Registrar



To

1. The Secretary, Revenue Department,  
Fort St.George, Chennai 600 009.
2. The Chairman,  
TANGEDCO,  
Tamil Nadu Electricity Board,  
Anna Salai, Chennai 600 002.
3. The Collector,  
Tiruvallore District,
4. The Revenue Divisional Officer,  
Ambattur, Tiruvallore District.
5. The Tahsildar,  
Madhavaram Taluk Office,  
Madhavaram.
6. The Revenue Inspector,  
Redhills,  
Tiruvallore District.

+1cc to Mr.L.Jai Venkatesh, Advocate, S.R.No.20263

+1cc to the Government Pleader, S.R.No.20620

W.P.No.14757 of 2014

MT (CO)  
SU (26/04/2022)