



W.P.No.20338 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.08.2022

CORAM:

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

W.P.No.20338 of 2022

Mr. Rajadurai

. . . Petitioner

Vs.

1. The District Collector,
Cuddalore District.
2. The Revenue Divisional Office,
Cuddalore District.
3. The Tahsildar,
Kurinjipadi Taluk.
4. The Village Administrative Officer,
Kalkunam Village, Kalkunam,
Kurinjipadi, Cuddalore District.
5. The Village Panchayat President,
Kalkunam Village Panchayat,
Kurinjipadi Taluk.

. . . Respondents



W.P.No.20338 of 2022

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or any other writ or order or direction in the nature of writ that this Hon'ble court may deem fit to forbear the respondents herein to interfering with the petitioner's peaceful possession and enjoyment over the property situated at Cuddalore District Kurinjipadi Taluk, Kalkanum Village, in survey No.518.0.1.31 to an extent of 39 cents without following due process of law.

For Petitioner : Mr. B.Ramar

For Respondents : Mr. R.Vigneswaran,

Government Advocate for R1 to R4

: Ms.S.Anitha,

Special Government Pleader for R5.

ORDER

The present petition has been filed seeking to forbear the respondents from interfering with the petitioner's peaceful possession and enjoyment of the subject property without following due process of law.

2. Mr. R.Vigneswaran, learned Government Advocate takes notice for R1 to R4 and Ms.S.Anitha, learned Special Government Pleader takes notice for R5.



W.P.No.20338 of 2022

3. It is the case of the petitioner that originally the subject property belongs to one Mr.Chandran and the said property was purchased by the petitioner's father namely Mr.Jaganathan. After the demise of his father, the petitioner and his family members are in joint possession of the said property till date. While that being so, respondents are trying to interfere with the possession of the petitioner's property by compelling him to hand over the said property for the purpose of constructing the Government block without following due process of law. Aggrieved by the same, the petitioner made a representation dated 26.07.2022 to the Respondents seeking to not to interfere with the petitioner's possession of the property. However, till date, the same has not been considered . Hence, the petitioner has come up with the present petition.

4. Learned counsel for the petitioner submits that though the petitioner has submitted a representation to the Respondents herein seeking to not to interfere with the petitioner's property, no action has been taken on the same. Hence, it would suffice if this Court issues a direction to the respondents to not interfere with the petitioner's property without following due process of



W.P.No.20338 of 2022

law.

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5. 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.

6. 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.

10.08.2022

NHS

Index : Yes / No

Internet : Yes / No



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W.P.No.20338 of 2022

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W.P.No.20338 of 2022

M.DHANDAPANI, J.

NHS

W.P.No.20338 of 2022

10.08.2022