



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.8690 of 2022

V.Ravichandran

... Petitioner

/Vs./

- 1.The District Collector,
Madurai.
- 2.The Superintendent of Police,
Madurai District.
- 3.The District Revenue Officer,
Collectorate, Madurai.
- 4.The Revenue Divisional Officer,
Thirumangalam Taluk Office,
Thirumangalam, Madurai.
- 5.The Tahisldar,
Thirumangalam Taluk,
Thirumangalam, Madurai.
- 6.The Deputy Superintendent of Police,
Thirumangalam, Madurai.
- 7.The Inspector of Police,
Austinpatti Police Station,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 5th respondent to handover the possession of the land assigned to the petitioner and 48 others in Survey No.1/5 of Tharmathupatti Village, Thirumangalam Taluk, Madurai District and simultaneously direct the 2nd, 6th and 7th respondents to provide adequate police protection to other respondents and beneficiaries while handing over the possession of plots in Survey No.1/5 of Tharmathupatti Village, Thirumangalam Taluk, Madurai District to the respective beneficiaries for their free and fair enjoyment of their rights pursuant to the petitioner's representation dated 28.03.2022.



For Petitioner : Mr.C.Masilamani

For Respondents : Mr.B.Saravanan,
Additional Government Pleader.

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ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the 5th respondent to hand over possession of the land assigned to the petitioner and 48 others in Survey No.1/5 of Tharmathupatti Village, Thirumangalam Taluk, Madurai District and simultaneously direct the 2nd, 6th and 7th respondents to provide adequate police protection to other respondents and beneficiaries while handing over the possession of plots in Survey No.1/5 of Tharmathupatti Village, Thirumangalam Taluk, Madurai District to the respective beneficiaries for their free and fair enjoyment of their rights pursuant to the petitioner's representation dated 28.03.2022.

2. According to the petitioner, pursuant to the directions given by the Division Bench of this Court, dated 06.11.2019 in WA(MD) No.979 of 2019, the survey and demarcation of the boundaries for the aforementioned property was done, but possession has not been handed over to the petitioner and 48 others, as per the decision. The petitioner has given a representation on 28.03.2022 for implementation of the order of the Division Bench of this Court dated 06.11.2019 passed in WA(MD) No.979 of 2019. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

3. Heard Mr.C.Masilamani, learned Counsel for the writ petitioner and Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

4. No prejudice would be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and other beneficiaries, within a time frame to be fixed by this Court.

5. For the foregoing reasons, this Court directs the fifth respondent to pass final orders on the petitioner's representation dated 28.03.2022 requesting the fifth respondent to hand over possession of the land assigned to the petitioner and 48 others in Survey No.1/5 of Tharmathupatti Village, Thirumangalam Taluk, Madurai District and simultaneously direct the 2nd, 6th and 7th respondents to provide adequate police protection to other respondents and beneficiaries while handing over the possession of plots in Survey No.1/5 of Tharmathupatti Village, Thirumangalam Taluk, Madurai District to the respective beneficiaries for their free and fair enjoyment of their rights with the assistance of the



police, on merits and in accordance with law, after affording a fair hearing to the petitioner and 48 other beneficiaries, within a period of four (4) months from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The District Collector, Madurai.

2. The Superintendent of Police,
Madurai District.

3. The District Revenue Officer,
Collectorate, Madurai.

4. The Revenue Divisional Officer,
Thirumangalam Taluk Office,
Thirumangalam, Madurai.

5. The Tahisldar,
Thirumangalam Taluk,
Thirumangalam, Madurai.

6. The Deputy Superintendent of Police,
Thirumangalam, Madurai.

7. The Inspector of Police,
Austinpatti Police Station, Madurai.

8 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1 CC to M/s.SPL.GP (SR-23298[F] dated 04/05/2022)

order made in

W.P. [MD]No.8690 of 2022

Dated:

29.04.2022

MK/25.05.2022/3P/10C

<https://hcservices.ecourts.gov.in/hcservices/>