



W.P.No.1621 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2023

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Writ Petition No.1621 of 2016
and WMP Nos.1375 of 2016 and 14487 of 2022

S.Krishnakumari

... Petitioner

-Vs-

- 1 The Government of Tamilnadu,
Rep. By Secretary to Government,
Public Works Department,
Fort St.George, Chennai-09.
- 2 The Executive Engineer,
Public Works Department,
Kosazthalaiyar Division, Thiruvallur.
- 3 The Assistant Executive Engineer,
Public Works Department,
Kosazthalaiyar Division, Chepauk,
Chennai-05.
- 4 The Revenue Divisional Officer,
Kanchipuram District, Kanchipuram.
- 5 The Thasildar,
Sriperumbudur Taluk, Sriperumbudur.
- 6 The Assistant Engineer
(PWD) Adyar Division St.Thomas Mount,
Chennai-16.



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7 The Government of Tamil Nadu
Rep. By Secretary to Government,
Highways and Ports Department,
Fort St. George, Chennai 600 009.

8 The Chief Engineer,
Highways (Construction and Maintenance)
Chepauk, Chennai 600 005.

9 The Divisional Engineer,
Highways (Construction and Maintenance)
Thiruvallur Division, Thiruvallur.

... Respondents

(R-7 to R9 are impleaded as per Order Dated: 07/10/2016 by B.R. J in
in WMP Nos.27397 and 27398/2016 in WP.No.1621 of 2016)

Prayer : Writ Petition filed under Article 226 of the Constitution of India
praying for the issuance of a Writ of Mandamus, forbearing the
respondents from interfering with the petitioner's peaceful possession
and enjoyment of the patta land comprised in S.No.1/3A having an extent
of 0.15.38 hectares equal to 0.37 acres in Kancheepuram District,
Sriperambudur Taluk, Manapakkam Village, in any manner.

For Petitioner : Mr.P.Chandrasekar

For Respondents : Mr.Abishek Murthy
Government Advocate

ORDER

The relief sought for in the present writ petition is to forbear the
respondents from interfering with the petitioner's peaceful possession
and enjoyment of the patta land comprised in S.No.1/3A, having an
extent of 0.15.38 hectares equal to 0.37 acres in Kancheepuram District,
Sriperambudur Taluk, Manapakkam Village, in any manner.



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WEB COPY 2. It is not in dispute that the petitioner filed a civil suit in O.S.No.213 of 2015, before the District Munsif-cum-Judicial Magistrate, Sriperumbudur, which is pending as of now. The grievances of the petitioner is that the government authorities under the wrong impression as if the petitioner was an encroacher of Government land, initiated action by demolishing the compound wall of the petitioner's property and by putting debris in the property belonging to the petitioner. Subsequently, the authorities have followed the procedures and admittedly, the land belonging to the petitioner was not acquired under the Land Acquisition Act.

3. The learned counsel for the petitioner states that the subject property is a patta land belonging to the petitioner and therefore, the authorities without due process of law cannot interfere with the peaceful possession and enjoyment of the petitioner in the said property.

4. It is needless to state that if at all any land is acquired for public purpose, the procedures contemplated under the acquisition laws have to be followed scrupulously by the competent authorities. As of



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now, the grievances of the petitioner are redressed and the authorities are not interfering with the peaceful possession of the petitioner in the subject property.

5. This being the factum, no further consideration is required in this writ petition. Accordingly, the writ petition stands disposed of. No costs. Consequently, the connected Writ Miscellaneous Petitions are closed.

31.03.2023

Index: Yes/No
Speaking/Non-speaking order.
Neutral Citation: Yes/No.
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- 7 The Secretary to Government of Tamil Nadu
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S.M.SUBRAMANIAM, J.

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