



WEB COPY



W.P.No.10387 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.10387 of 2023

P.Kamalambal

...Petitioner

-Vs-

- 1.The Director General of Police,
Tamil Nadu,
Office of the Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai – 600 004.
- 2.The District Collector,
Kanchipuram District,
Collectorate, Kanchipuram – 631 501.
- 3.The District Revenue Officer,
Kanchipuram District,
Collectorate,
Kanchipuram – 631 501.
- 4.The Deputy Inspector General of Police,
No.7/9, Varadharaja Pannai,
Vandavasi Road,
Kanchipuram – 631 501.
- 5.The Superintendent of Police,
Chengalpattu District,
Chengalpattu Town – 603 001.



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6.The Tahsildar,
Kanchipuram Taluk,
Kanchipuram – 631 501,
Kanchipuram District.

7.Suguna

8.Gunasekaran

9.Raman

10.Lakshmanan

11.Ponnammal

12.Kothandaraman

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the third respondent to consider the petitioner's representation dated 05.12.2022 for the 7 to 12 respondents disturbance and preventing the petitioner for the past 36 years for the petitioner's enjoyment of the agricultural lands bearing Survey Numbers 100/7, 111/7, 19/6, 40/1, 61/5, 70/1, 85/11, 85/12, 61/3 and 82/5 situated in Murudham Village, Kanchipuram Taluk.

For Petitioner : Mr.R.Anbalagan

For R1 to R6 : Mr.Yogesh Kannadasan,
Special Government Pleader



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ORDER

WEB COPY Heard Mr.R.Anbalagan, learned counsel for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader for the respondents 1 to 6.

2. In view of the order to be passed in this Writ Petition, no prejudice would be caused to be respondents 7 to 12 herein and hence, notice to the said private respondents is dispensed with.

3. The apprehension of the petitioner is that the private respondents 7 to 12 herein are attempting to interfere with the petitioner's physical possession of the agricultural land bearing Survey Nos.100/7, 111/7, 19/6, 40/1, 61/5, 70/1, 85/11, 85/12, 61/3 and 82/5 situated in Murudham Village, Kanchipuram Taluk, which is claimed to be in their possession for over a period of time.

4. Such a prayer is not permissible to be entertained by this Court exercising its powers under Article 226 of the Constitution of India, since the factum of the claim that the petitioner is in physical possession of the



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property requires to be established through oral and documentary evidences.

As such, the appropriate forum would be the Civil Court having jurisdiction over the subject property.

5. In view of the same, the Writ Petition stands dismissed, with liberty to the petitioner to file a Civil Suit for the cause of action alleged in the present Writ Petition. No costs.

05.04.2023

Index:Yes/No

Internet:Yes/No

Speaking order/Non-speaking order

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To

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3.The District Revenue Officer,
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4.The Deputy Inspector General of Police,
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M.S.RAMESH,J.

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