



WEB COPY



W.P.No.8781 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2023

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

W.P.No.8781 of 2020
and
WMP.No.10657 of 2020

K.Ameerjohn

...Petitioner

vs.

1. The District Collector,
Krishnagiri District,
Krishnagiri.
2. The Commissioner,
Hosur Corporation,
Bagalur Road, Housr Town & Taluka,
Krishnagiri District.
3. The Town and Country Planning Officer,
Housr Corporation,
Bagalur Road, Housr Town & Taluka,
Krishnagiri District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus forbearing the respondents from in any manner disturbing the peaceful possession and enjoyment of the property of the petitioner bearing Survey No.502/101 (Old Survey No.502/1C), bounded on the North by South Boundary of S.No.502/1B, South by North boundary of 30 feet road, East by boundary of Housing Plots and West by Eastern boundary of 30 feet road running north to south, situated within the layout



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known as Ananda Nagar of No.87, Zuzuwadi Village, Hosur Town and Taluka, Krishnagiri District.

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For Petitioner : Mr.G.M.Ananthakumar

For Respondents : Mr.M.Alagu Goutham, GA, for R1
: Mr.N.Subburayalu, for R2 & R3

ORDER

This Writ Petition has been filed seeking to forbear the respondents from in any manner disturbing the petitioner's peaceful possession and enjoyment over the subject property.

2. The case of the petitioner is that, the petitioner along with one K.Loganathan claim to be the joint owners of the property comprised in Old S.No.502/1C, New S.No.502/101, measuring an extent of Acre 0.50 cents, situated at Zuzuwadi village, Krishnagiri and the same was purchased by them, vide registered Sale deed dated 24.08.2012 bearing Doc.No.2858 of 2012 and the joint patta in Patta No.4398 also jointly stands in their name. While so, the 3rd respondent, who is in no way connected with the subject property is making illegal attempts to convert the subject property into a Park, for the purpose of the residents of the said locality. Immediately, the



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petitioner caused a legal notice dated 05.06.2020, calling the respondents not to indulge in any activities in respect of the disputed property, which evoked no response and the respondents are taking steps with regard to leveling of the subject property. Hence, this Writ petition.

3. Learned counsel appearing for the petitioner submitted that, though the Patta and chitta in respect of the subject property jointly stands in the name of the petitioner and the said K.Loganathan, the respondents are disturbing the petitioner's possession and are making continuous attempts to convert the subject property into a Park. Hence, it would suffice, if this Court forbears the respondents from interfering with the petitioner's peaceful possession and enjoyment over the subject property.

4. Learned counsel appearing for the respective respondents submitted that, the petitioner's possession will not be disturbed without following due process of law.

5. Recording the above submission made by the learned counsel appearing for the respective respondents, no further adjudication is necessary in the present Writ Petition and the respondents shall not disturb



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the petitioner's possession and enjoyment over the subject property without following the due process of law.

6. Accordingly, this Writ Petition stands disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

16.06.2023

skt

NCC : Yes/No

Index : Yes/No

Speaking order : Yes/No

To:

1. The District Collector,
Krishnagiri District,
Krishnagiri.
2. The Commissioner,
Hosur Corporation,
Bagalur Road, Hosur Town & Taluka,
Krishnagiri District.

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3. The Town and Country Planning Officer,
Housr Corporation,
Bagalur Road, Housr Town & Taluka,
Krishnagiri District.

M.DHANDAPANI, J.

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