



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.41981 of 2016

and

W.M.P.No.25929 of 2016

1.T.Venkatesan

2.Ramasamy

3.Thirupathi

4.Lakshmi

5.Thirupathi

6.Kaliyammal

... Petitioners

Vs.

1.The Secretary

Adi Dravida Tribal Welfare Department
Government of Tamil Nadu
Fort St. George, Chennai – 600 009.

2.The Director

Adi Dravida Tribal Welfare Department
Chapauk, Chennai – 600 005.

3.The District Collector

Thiruvannamalai District
Thiruvannamalai.



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4.The Revenue Divisional Officer
O/o. Revenue Divisional Office
Thiruvannamalai.

5.The Thasildar
Kalasapakkam Taluk Office
Kalasapakkam, Thiruvannamalai District.

6.The Revenue Inspector
Kettavarayapalayam
Kalasapakkam Taluk
Thiruvannamalai District.

7.The Village Administrative Officer
(Kovilur Madura)
Jamunamathur
Kalasapakkam Taluk
Thiruvannamalai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents not to interfere with the possession and enjoyment of the petitioners agricultural lands situate at Attiyanur Village, Jamunamarthur Panchayat Union, Kalasapakkam Taluk, Thiruvannamalai District bearing Survey No.540/1B, 540/2A, 533/1F to an extent of 6 acres without due process of law.

For Petitioners : No Appearance

For Respondents : Mr.Abishek Murthy
Government Advocate



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ORDER

The relief sought for in the present writ petition is to direct the respondents not to interfere with the possession and enjoyment of the petitioners agricultural lands situated at Attiyanur Village, Jamunamarthur Panchayat Union, Kalasapakkam Taluk, Thiruvannamalai District bearing Survey No.540/1B, 540/2A, 533/1F to an extent of 6 acres.

2. The relief as such sought for is absolutely misconceived. In respect of the relief, the petitioners have to establish his civil right in respect of the subject property. Such an adjudication cannot be undertaken in a writ proceeding under Article 226 of the Constitution of India. Thus, it is open to the petitioners to approach the Competent Civil Court of Law for the purpose of establishing his title or ownership.

3. Accordingly, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

27.04.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes



To

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S.M.SUBRAMANIAM, J.

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