



WEB COPY

W.P.No.19314 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.19314 of 2014

and

M.P.No.1 of 2014

N.Kunjithapatham

... Petitioner

Vs.

- 1.The District Collector,
Ariyalur District,
At Ariyalur.
- 2.The District Revenue Officer,
Ariyalur,
Ariyalur District.
- 3.The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Udayarpalayam Taluk,
Ariyalur District.
- 4.The Tahsildar,
Udayarpalayam Taluk,
Jayankondam,
Ariyalur District.
- 5.The Executive Officer,
Udayarpalayam Town Panchayat,
Udayarpalayam Taluk,
Ariyalur District.



6.The Executive Engineer,
Highways Department,
Senthurai,
Ariyalur Taluk and District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents from interfering with the peaceful possession and enjoyment of the petitioner's Patta property in Patta No.1118 situated at Survey No.254/27, Kadaiveethi, Udaiyarpalayam, Udaiyarpalayam Taluk, Ariyalur District to an extent of 5.5Ares (i.e. 13 cents) except due process of law.

For Petitioner : No Appearance

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 peaceful possession and enjoyment of the petitioner's Patta property in Patta No.1118 situated at Survey No.254/27, Kadaiveethi, Udaiyarpalayam, Udaiyarpalayam Taluk, Ariyalur District to an extent of 5.5Ares (i.e. 13 cents) except due process of law.



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2. When the matter was listed for hearing on 15.03.2023, none appeared on behalf of the petitioner. Thus, this Court passed an order, directing the Registry to list the matter on 17.03.2023 under the caption “For Dismissal”.

3. Even today i.e., on 17.03.2023, when the matter is taken up for hearing, none appeared for the petitioner. Thus, this Court is inclined to pass the following orders.

4. The relief as such sought for with reference to the property right of the petitioner cannot be adjudicated in a writ proceeding under Article 226 of the Constitution of India. Thus, the petitioner has to approach the Competent Civil Court for the purpose of redressal of his grievance. Accordingly, the petitioner is at liberty to approach the Competent Court, if any grievance exists as of now.



5. With this liberty, this Writ Petition stands disposed of. No costs.

Consequently, connected Miscellaneous Petition is closed.

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Index : Yes

Speaking order

Neutral Citation : Yes

To

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Ariyalur District.
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- 4.The Tahsildar,
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Jayankondam, Ariyalur District.
- 5.The Executive Officer,
Udayarpalayam Town Panchayat,
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S.M.SUBRAMANIAM, J.

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