



WEB COPY



W.P.No.22559 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.No.22559 of 2023

P.Vadivel

.. Petitioner

Vs

1.The District Collector,
Salem District,
Salem – 636 001.

2.The District Revenue Officer,
Salem District,
Salem – 636 001.

3.The Revenue Divisional Officer,
Attur Division,
Salem District – 636 102.

4.The Tahsildar,
Attur Taluk,
Salem District – 636 102.

5.The Head Surveyor,
Attur Taluk,
Salem District – 636 102.

.. Respondents



W.P.No.22559 of 2023

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the fourth respondent to follow the principles of natural justice and give opportunity to the petitioner before following the eviction procedure of the petitioner agriculture land in Survey Nos.382/5A & 5B situated at Alagapuram Village and under the Revenue Village of Ramanaikken Palaiyam, Attur Taluk, Salem District and pass the order based on the petitioner representation dated 18.05.2023.

For the Petitioner : Mr.T.Velu

For the Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by
Mrs.R.Anitha
Spl. Government Pleader

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.T.Velu, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader, assisted by Mrs.R.Anitha, learned Special Government Pleader for the respondents.

2. Learned counsel for the petitioner submits that Survey Nos.382/5A and 382/5B are patta lands and he is the owner of the property. The respondent authorities, by taking the law in their own



W.P.No.22559 of 2023

hands, are entering into the petitioner's possession.

WEB COPY

3. Learned State Government Pleader submits that Survey No.382/5A is a pathway and the petitioner has encroached on the pathway. The authorities, by following the due process of law, would take action against the petitioner. As far as Survey No.382/5B is concerned, it is a patta land and the authorities are not taking any action in respect of the said land.

4. As it is submitted that due process of law would be followed before any action is taken, no further orders are necessary in this writ petition.

5. The writ petition is, accordingly, disposed of. There will be no order as to costs. Consequently, W.M.P.No.22000 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

01.08.2023

Index : Yes/No
Neutral Citation : Yes/No



W.P.No.22559 of 2023



W.P.No.22559 of 2023

To:

WEB COPY

- 1.The District Collector,
Salem District,
Salem – 636 001.
- 2.The District Revenue Officer,
Salem District,
Salem – 636 001.
- 3.The Revenue Divisional Officer,
Attur Division,
Salem District – 636 102.
- 4.The Tahsildar,
Attur Taluk,
Salem District – 636 102.
- 5.The Head Surveyor,
Attur Taluk,
Salem District – 636 102.



WEB COPY



W.P.No.22559 of 2023

THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU,J.

bbr

W.P.No.22559 of 2023

01.08.2023