



W.P.No.20413 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.20413 of 2023

and

W.M.P.Nos.19781 and 19783 of 2023

- 1.C.Harikrishnan
- 2.C.Kanniyappan
- 3.C.Sundaram

...Petitioners

Vs.

- 1.The District Collector,
Chengalpattu District,
Chengalpattu.
- 2.The Tahsildar,
Chengalpattu Taluk,
Chengalpattu.
- 3.The Block Development Officer,
Block Development Office,
Kattankulathur,
Chengalpattu Taluk,
Chengalpattu.
- 4.The Village Panchayat President,
Pattravakkam Village Panchayat,
Chengalpattu Taluk,
Chengalpattu.



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5.The Inspector of Police,
Taluk Police Station,
Chengalpattu 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 interfering carryout any activities in the Patta and land belong to the petitioners in Survey No.18/2B1 & 19/2 at Patravakkam Village, Chengalpattu District except by due process of law pursuant.

For Petitioners : Mr.M.Mahendran

For Respondents : Mrs.S.Anitha for R1, R2 & R5
Special Government Pleader

: Mr.Stalin Abhimanyu for R3 & R4
Additional Government Pleader

ORDER

This Writ Petition is filed seeking a direction to the respondents not to interfere with the patta land of the petitioners in S.Nos.18/2B1, 19/2 at Patravakkam Village, Chengalpattu District, except by due process of law.



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2. According to the petitioners, they are the owners of the above said land and the revenue records also stand in their names. It is the case of the petitioners that the fourth respondent made an attempt to occupy a portion of the above said land for the purpose of the constructing canal ditch. Therefore, the petitioners have come up before this Court with the above said prayer.

3. Mrs.S.Anitha, learned Special Government Pleader appearing for the respondents 1, 2 & 5 and Mr.Stalin Abhimanyu, learned Additional Government Pleader appearing for the respondents 3 & 4, produced written instructions from the second respondent, wherein it is mentioned that the lands in S.Nos.18/2B1, 19/2C, 19/2A and 19/2B stand in the name of the petitioners in the revenue records. Therefore, the fourth respondent is not entitled to interfere with the patta lands of the petitioners and put up any canal ditch in the above said Survey numbers.

4. Mr.Stalin Abhimanyu, learned Additional Government Pleader appearing for the respondents 3 & 4, on instructions, submitted that the fourth respondent is putting up canal ditch only in S.Nos.18/2B/2 & 19/3 and the said statement is recorded.



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5. In view of the submissions made by the learned Special Government Pleader appearing for the respondents 1, 2 & 5 and the learned Additional Government Pleader appearing for the respondents 3 and 4 this Court is inclined to issue a direction to the second respondent to survey the above mentioned survey numbers of the petitioners and S.Nos.18/2B/2 & 19/3 and de-mark S.Nos.18/2B/2 & 19/3 to ensure that the canal ditch is built only in S.Nos.18/2B/2 & 19/3 without encroaching the petitioners' land in S.Nos.18/2B1 and 19/2.

6. With these directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

18.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
dna



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