



WEB COPY



WP No.22257 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2023

CORAM :

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

AND

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

WP No.22257 of 2023

D.Gajalakshmi : Petitioner

versus

1.The District Collector,
Chengalpattu District.

2.The District Revenue Officer,
Chengalpattu District.

3.The Revenue Divisional Officer,
Chengalpattu Division,
Chengalpattu District.

4.The Tahsildar,
Chengalpattu Taluk,
Chengalpattu District.

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus forbearing the respondents from disturbing with the peaceful possession of the petitioner over the property comprised in Old.No.81, New No.75, Ponangottur village, S.Nos.125/170, 126/27, Sri Ganapathy Nagar Colony, Extension 5, Plot No.771 to the extent of 1586 sq.ft. without following the due process of law by considering the representation of the petitioner dated 05.07.2023.

For the Petitioner : Mr.Nalliyappan,

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for Mr.J.Titus Enock

For the Respondents : Mr.P.Muthukumar,
State Government Pleader

ORDER

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

We have heard Mr.Nalliyappan, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader, for the respondents.

2. Learned counsel for the petitioner submits that the respondents are threatening that the petitioner has encroached over the property and that action would be taken against the petitioner. Learned counsel submits that the petitioner has purchased the writ property under a registered sale deed.

3. There is not even a single notice issued to the petitioner. If the petitioner claims to be the owner of the property, the petitioner has got ways and means to protect the legitimate possession in a legal manner. For apprehension also, there is not even a single notice issued. In absence thereof, no orders can be passed.

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4. The petitioner may avail the remedy as may be permissible under law. In that event, all contentions are kept open. The writ petition is disposed of. There will be no order as to costs. Consequently, WMP No.21642 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

31.07.2023

Index : Yes/No

Neutral Citation : Yes/No
tar

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P.D.AUDIKESAVALU, J.

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