



W.P.No.30686 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :30.10.2023

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.30686 of 2023

S.Deviga

... Petitioner

Vs.

1. The Tahsildar,
Thirukkazhukkundram Taluk,
Thirukkazhukkundram.
2. The Special Tahsildar,
(Land Acquisition),
Mamallapuram-Pudhuchery Bypass Road,
(Section 2),
Chengalpet.
3. The District Collector,
Chengalpet District,
Chengalpet.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus or direction or order in the nature of writ



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(i) Directing the first respondent to quash the impugned letter No.Na.Ka.No.2505/2019 B2 dated 31.07.2019 and arrange to issue Patta in favour of the petitioner and thus declare her ownership to the Punja land (classified as 'Anadheenam' land), admeasuring 1.10 acres, in S.No.476/1 in No.77 Vittilapuram village, Thirukkazhukkundram Taluk, Chengalpet District, being the 'subject land' herein, by invoking the rightful benefits of 'Adverse possession'.

(ii) Directing the second respondent to quash the impugned letter No.Na.Ka.122-Ma.Pu.The.No.332A/Phase 2 dated 16.08.2022, and pay the petitioner suitable compensation for taking over the road project, the portion of land admeasuring 60 cents comprised in the subject falling in S.No.476/1 in No.77 Vittilapuram village, Thirukkazhukkundram Taluk, Chengalpet District.

(iii) Directing the third respondent to issue suitable directions to the first and second respondents for issuance of patta by the first respondent in favour of the petitioner and payment of suitable compensation is made to her by the second respondent.



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For Petitioner : Mr.R.Rajavel

For Respondents : Mr.P.Gurunathan
Additional Government Pleader

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus to direct the first respondent to quash the impugned letter No.Na.Ka.No.2505/2019 B2 dated 31.07.2019 and to direct the second respondent to quash the impugned letter No.Na.Ka.122-Ma.Pu.The.No.332A/Phase 2 dated 16.08.2022 and also to direct the third respondent to issue suitable directions to the respondents 1 and 2 for issuance of patta.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

3. Since the issue involved in this writ petition is regarding adverse



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possession and the same cannot be decided in the writ petition. Hence the Writ Petition is dismissed. However, the petitioner is at liberty to work out her remedy in the manner known to law. There shall be no order as to costs.

30.10.2023

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The Tahsildar,
Thirukkazhukkundram Taluk,
Thirukkazhukkundram.
2. The Special Tahsildar,
(Land Acquisition),
Mamallapuram-Pudhuchery Bypass Road,
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P.VELMURUGAN, J.

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