



W.P. No. 30201 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2023

CORAM

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

W.P. No. 30201 of 2023

and

W.M.P. No. 29801 of 2023

M.Thanikachalam

... Petitioner

-VS-

1. The District Collector
Cuddalore District
Cuddalore.
2. The Special Deputy Collector
Adi-Dravida Welfare, Cuddalore.
3. The Block Development Officer
Kurinjipadi, Kurinjipadi Taluk
Cuddalore District.
4. The President
Kannadi Panchayat
Kurinjipadi Taluk
Cuddalore District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, forbearing the Respondents and those claiming under them from in any manner interfering with Petitioner's peaceful possession and enjoyment of 5 cents in S.No.105/1 in Kannadi Village, Kurinjipadi Taluk, Cuddalore District except by due process of law.



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For Petitioner : Mr. R.Gururaj
for Mr. D.Baskar

For Respondents : Mr. S.J.Mohamed Sathik,
Government Advocate

ORDER

Heard Mr. R.Gururaj, Learned Counsel for the Petitioner and Mr. S.J.Mohamed Sathik, Learned Government Advocate who takes notice for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. It is the case of the Petitioner that Respondents under the guise of constructing school in the land in Survey No. 105/3 in Kannadi Village, Kurinjipadi Taluk, Cuddalore District, is attempting to encroach upon the neighbouring land belonging to the Petitioner in Survey No. 105/1 of that village, which has necessitated the filing of this Writ Petition.

3. Learned Government Advocate appearing for the Respondents, on instructions, states that the entire construction of the school would be done only in Survey No. 105/3 of the said village and he has also filed a memo to that effect, which is placed on record. In view of the same, nothing remains for



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further consideration in the Writ Petition, but if the Petitioner has any further grievance including measurement or identification of the property, he would have to work out his remedy before proper forum in the manner recognized by law.

In fine, the Writ Petition is disposed with the aforesaid observations. Consequently, the connected Miscellaneous Petition is closed. No costs.

19.10.2023

NCS : Yes/No

Index: Yes/No

Maya

Note: Issue order copy by 31.10.2023.

To

1. The District Collector
Cuddalore District
Cuddalore.
2. The Special Deputy Collector
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3. The Block Development Officer
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Cuddalore District.
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P.D. AUDIKESAVALU, J.

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