



WEB COPY



W.P.No.30817 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.30817 of 2023

and

WMP.No.30492 of 2023

S.Nagarathinam

...

Petitioner

/vs/

1.The District Collector

Tiruppur District at Tiruppur.

2.The Tahsildar,

Dharapuram Taluk,

Dharapuram, Tiruppur District.

3.The Divisional Engineer,

State Highways Department,

Alangiam Road, Dharapuram,

Tiruppur District.

4.The Assistant Divisional Engineer,

State Highways Department,

Alangiam Road, Dharapuram,

Tiruppur District.

5.The Executive Engineer,

State Highways Department,

Alangiam Road, Dharapuram,

Tiruppur District.

...

Respondents



W.P.No.30817 of 2023

PRAYER : The writ petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbear the respondents and their men, agents and servants from in any manner demolishing the petitioner's building situated at Door No.31/37, Kovai Main Road, Kundadam – 638 702, Dharapuram Taluk, Tiruppur District and the land comprised in Survey No.1071/17 (Patta land), measuring about 3 cents of land and Survey No.1071/18 (Natham land) measuring about 3.3/4 cents, with the total measurement of 2943 sq.ft. situate in Kundadam Village, without following the due process of law.

For Petitioner ... Mr.K.Premkumar

For Respondents ... Mr.P.Gurunathan
Additional Government Pleader

ORDER

The writ petition has been filed to issue a Writ of Mandamus forbearing the respondents and their men, agents and servants from in any manner demolishing the petitioner's building situated at Door No.31/37, Kovai Main Road, Kundadam – 638 702, Dharapuram Taluk, Tiruppur District and the land comprised in Survey No.1071/17 (Patta land), measuring about 3 cents of land and Survey No.1071/18 (Natham land) measuring about 3.3/4 cents, with the total measurement of 2943 sq.ft. situate in Kundadam Village, without following the due process of law.



W.P.No.30817 of 2023

WEB COPY 2.The petitioner has not produced any document before the respondents and the petitioner has also not produced any Patta before this Court to show that Survey No.1071 of 2018 is in her occupation. The respondents have already directed the petitioner's husband to produce all the documents. Now, the petitioner's husband is no more. Therefore, the petitioner is directed to approach the respondents with all the available documents within a period of one week from the date of receipt of a copy of this order and on production of those documents, the respondents are directed to consider the documents and pass an appropriate order on merits and in accordance with law.

With the above direction, the writ petition is disposed of. No costs.
Consequently, the connected miscellaneous petition is closed.

Index : Yes/No
Speaking Order: Yes/No
Neutral case citation: Yes/No
sms

01.12.2023



W.P.No.30817 of 2023

WEB COPY To

- 1.The District Collector
Tiruppur District at Tiruppur.
- 2.The Tahsildar,
Dharapuram Taluk,
Dharapuram, Tiruppur District.
- 3.The Divisional Engineer,
State Highways Department,
Alangiam Road, Dharapuram,
Tiruppur District.
- 4.The Assistant Divisional Engineer,
State Highways Department,
Alangiam Road, Dharapuram,
Tiruppur District.
- 5.The Executive Engineer,
State Highways Department,
Alangiam Road, Dharapuram,
Tiruppur District.



WEB COPY



W.P.No.30817 of 2023

P.VELMURUGAN,J.

sms

W.P.No.30817 of 2023
and
WMP.No.30492 of 2023

01.12.2023