



W.P.No.33019 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.33019 of 2023

Sandra Dawn Collins

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Petitioner

Vs.

1. The Principal Secretary
Government of Tamil Nadu
Revenue Department
Fort St. George, Chennai – 600 001.
2. The Commissionerate of Land Administration
II Floor, Ezilagam
Chennai – 600 005.
3. The Collector
Chengalput District Chengalput.
4. The Tahsildar
Pallavaram Taluk, Pallavaram.
5. The Executive Officer
Cantonment Board
St. Thomas Mount
Chennai – 600 015.

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Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents to consider the petitioner's representation dated 13.06.2023 and assign the land in her favour and direct the respondents not to interfere with my possession of property under S.No.437, No.52, Butt Road, St. Thomas Mount, Pallavaram, Chengalput District to an extent of 26032 Sq.ft.

For the Petitioner : Mr.V.Viswanathan

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for R1 to R5

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.V.Viswanathan, 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 petitioner is occupying the property continuously since the year 1934. Periodically, representations were made to the Government authorities for assignment of the land. The applications are not decided and the respondents have put up a board in the land possessed by the petitioner. The respondents have to adhere to the



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3. It is the case of the petitioner that the land is owned by the cantonment. Lease was executed in respect of the land and further lease has been executed in favour of the petitioner's predecessor by the person to whom the cantonment has leased out the land. According to learned counsel, his applications are pending for assignment. The respondents cannot take the law in their hands to evict the petitioner. Learned counsel for the petitioner also relies upon the assignments in respect of other lands owned by the cantonment.

4. The respondents have not yet resorted to any proceedings for eviction or repossessing the land. The respondent authorities naturally will have to follow the provisions of law before proceeding ahead. Merely putting the board would not amount to dispossession of the petitioner. In case the respondents want to take further steps, they shall follow the provisions of law by issuing notice and take such other steps as provided under the statute.



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5. With these observations, the writ petition stands disposed of.
There will be no order as to costs. Consequently, W.M.P.No.32712 of
2023 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No
Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE
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D.BHARATHA CHAKRAVARTHY, J.

(drm)

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