



WEB COPY

W.P.No.34145 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.12.2023

CORAM :

THE HONOURABLE Dr. JUSTICE **G.JAYACHANDRAN**

W.P. No.34145 of 2023

K.M.Sampath

... Petitioner

-VS-

1.The District Collector,  
Thiruppathur District.

2.The Revenue Divisional Officer,  
Thiruppathur Taluk,  
Thiruppathur District.

3.The Tahsildhar,  
Thiruppathur Taluk,  
Thiruppathur District.

4.K.M.Chandran  
5.M.Jayagantha @ Lalitha  
6.M.Sivakumar  
7.M.Shakaravarthi  
8.R.Shankar  
9.R.Gopi

...Respondents

**PRAYER :** Writ Petition has been filed under Article 226 of the Constitution of India, to issue Writ of Mandamus to direct the respondents 1 to 3 to consider petitioner's representation dated 30.10.2023 to conduct Executive Magistrate enquiry under Section 145 of Code of Criminal Procedure and to stop the illegal constructions and act done by the 4<sup>th</sup> to 9<sup>th</sup> respondents with regard land in Survey No.362 at Thathavalli Revenue Village, T.Krishnapuram Village, Thiruppathur Taluk, Thiruppathur District.



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For Petitioner

: Mr.S.Gopinath

For R1 to R3

: Mr.Leonard Arul Joseph Selvam  
Government Advocate (Crl.Side)

### **ORDER**

This Writ Petition is filed for directing the Executive Magistrate to initiate proceedings under Section 145 Cr.P.C., based on the representation given by the petitioner on 30.10.2023.

2. According to the petitioner, the land which had been in enjoyment of his father now been inherited by his legal heirs without demarcation, the private respondents are trying to put up construction.

3. This Court after hearing the learned Government Advocate (Crl.Side) and perusing the petition finds that the land in dispute is Grama Natham Poramboke land and none of them have any title over the property. In the said circumstances, there is no requirement for conducting enquiry by the Executive Magistrate under Section 145 of Cr.P.C. If at all any requirement, the jurisdictional police will take necessary action.



4. With the above observation, this Writ Petition stands dismissed. No

costs.

**08.12.2023**

Internet : Yes/No

Index : Yes/No

rpl

To

1.The District Collector,  
Thiruppathur District.

2.The Revenue Divisional Officer,  
Thiruppathur Taluk,  
Thiruppathur District.

3.The Tahsildhar,  
Thiruppathur Taluk,  
Thiruppathur District.

4.The Public Prosecutor,  
High Court of Madras,  
Chennai.



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**Dr.G.JAYACHANDRAN, J.**

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