



W.P(MD)No.1854 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.1854 of 2023

and

W.M.P.(MD)No.1641 of 2023

K.Duraisamy

... Petitioner

Vs.

1.The District Collector,
Sivagangai District.

2.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.

3.The Tahsildar,
Taluk Office,
Manamadurai,
Sivagangai District.

4.The Block Development Officer,
Manamadurai,
Sivaganai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents herein, their men, agents or any one claiming on their behalf from in any manner interfering with petitioners property measuring 1.45 acres situated in Survey No.120/2B, Kalkurichi Village, Seikalathur Group, Manamadurai,



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Sivagangai district, purchased under a registered sale deed dated 11.07.1995
vide Doc.1130/1995.

For Petitioner : Mr.K.Appadurai

For Respondents : Mr.M.Lingadurai,
Spl. Government Pleader for R1 to R3.
Mr.R.Sureshkumar
Addl. Government Pleader for R4.

ORDER

Heard the learned counsel on either side.

2.The petitioner apprehending dispossession at the hands of the respondents in respect of the petition mentioned property has approached this Court.

3.When the matter was taken up for hearing, the learned Special Government Pleader claimed that the encroachment committed by the petitioner has since been removed. I wanted to know if the petitioner is having patta in his favour. The learned counsel for the petitioner is able to produce copy of a registered sale deed alone. Since factual disputes are involved, the petitioner has to necessarily move the jurisdictional Civil Court. If any suit is filed, the jurisdictional Civil Court shall number the suit immediately and also give a



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disposal to the interim application that may be filed by the petitioner as expeditiously as possible. I make it clear that I have not gone into the merits of the matter.

4.Granted liberty to the writ petitioner as mentioned above, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

31.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To:

- 1.The District Collector,
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Sivagangai District.
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Manamadurai,
Sivagangai District.
- 4.The Block Development Officer,
Manamadurai,
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G.R.SWAMINATHAN, J.

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