



W.P(MD)No.19109 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19109 of 2015
and
M.P.(MD)No.1 of 2015

S.Kaliammal

... Petitioner

Vs.

- 1.The District Collector,
Sivagangai,
Sivagangai District.
- 2.The District Revenue Officer,
Office of the District Collector,
Sivagangai, Sivagangai District.
- 3.The Thasildar,
Thriupathur Taluk,
Sivagangai District.
- 4.T he Village Administrative Officer,
N.Keelaiyoor Village,
Mela Avanthipatti,
Thirupathur,
Sivagangai District.
- 5.The Executive Officer,
Mela Avanthipatti,



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N.Keelaiyoor,
Thirupathur,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents not to interfere with the possession of petitioner or evict her and her family members from the property in Patta No.277 in Survey No.25/3A Keelaiyoor village, Thirupathur Taluk, Sivagangai District, except by the following the procedure prescribed under law.

For Petitioner : Mr.S.J.Chakkaravarthy

For Respondents : Mr.S.Shanmugavel,
Addl. Government Pleader.

ORDER

Heard the learned counsel on either side.

2.Patta was given in favour of the writ petitioner's family way back in the year 1992 recognizing their possession and enjoyment. The case of the respondents is that though patta had been given in favour of the



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writ petitioner, the revenue records indicate that a channel is running across. If that be so, it has to be necessarily restored. But then in view of the petitioner's long possession and enjoyment, notice has to be given to the petitioner before any adverse action is taken. In fact, the prayer itself is only for directing the respondents to adhere to due process of law.

3.No exception can be taken to the said request. The respondents are directed to adhere to due process of law while restoring the channel that is said to run through S.No.25/3A, Keelaiyoor Village.

4.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

21.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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