



W.P.No.3630 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2024

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.3630 of 2019

and

W.M.P.No. 3975 of 2019

Chinnaraj

... Petitioner

Vs.

The Commissioner,
Officer of the Commissioner,
Tirupattur Town Municipality,
Tirupattur, Vellore District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondent from disturbing the peaceful possession of the petitioner property of 14276' 1/4 sq.ft in survey No.12, patta No.171, Sivarajpettai, Adhidravider Colony, Tirupattur, Vellore District without following due process of law.

For Petitioner : Mr.S.Gunaseelan

For Respondent : Mr.P.Srinivas,
Standing counsel



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ORDER

WEB COPY This Writ Petition has been filed for a direction, forbearing the respondent from disturbing the petitioner's peaceful possession and enjoyment of the property comprised in Survey No.12 ad measuring 14276 and 1/4 Sq.ft situate at Sivarajpettai, Adhidravidar Colony, Tirupattur.

2.The petitioner has purchased the subject property from S.C.Muhamad Egiya Shabi and his family members by the registered sale deed dated 19.11.2004 in vide Document No.1540 of 2005. The petitioner also issued patta No.171 for the subject property. While being so, the respondent without any locus over the property disturbing the petitioner's peaceful possession and enjoyment of the property.

3. On instructions, Mr.P.Srinivas, learned Standing Counsel appearing for the respondent submitted that as per the lay out plan, the subject property is earmarked as park. It was already gifted in favour of the respondent. Therefore, the petitioner's Vendor fraudulently sold out the property to the petitioner.



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4. In view of the above, the directions sought for in the Writ Petition cannot be considered. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

26.09.2024

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Internet : Yes/No

Index : Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No

To

The Commissioner,
Officer of the Commissioner,
Tirupattur Town Municipality,
Tirupattur, Vellore District.



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G.K.ILANTHIRAIYAN, J.

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