



WEB COPY



WP.No.14266 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.14266 of 2024 & WMP.No.15475 of 2024

B.Thangavel

.. Petitioner

Versus

1. The District Revenue Officer,
Tiruvallur District.

2. The Revenue Divisional officer,
Tiruttani Taluk, Tiruvallur District.

3. The Tahsildar,
Tiruttani Taluk, Tiruvallur District.

4. Palani

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent not to disturb the peaceful possession and enjoyment of the petitioner property comprised in Survey No.88, situated at Vilakanamudi Village, R.K.Pettai Taluk, Tiruvallur District without due process of law.

For Petitioner : Mr.L.Ramu

For Respondents : Mr.A.Selvendran,
Special Government Pleader – R1 to R3



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ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed to direct the second respondent not to disturb the peaceful possession and enjoyment of the petitioner in his property comprised in Survey No.88, situated at Vilakanamudi Village, R.K.Pettai Taluk, Tiruvallur District without due process of law.

3. Heard learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 3 and perused the materials available on record.

4. The case of the petitioner is that he is in possession of his property in Survey No.88 situated at Vilankanampudi Village. On the basis of the complaint given by the fourth respondent as if the petitioner had encroached upon the property of the fourth respondent, the second respondent is interfering with the possession of the petitioner in his property. In this regard the petitioner has given a representation to the respondents on 09.02.2024.



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However, the same has not been considered by the respondents. Hence, the Writ Petition.

5. At the outset, this Court is of the view that the disputed facts cannot be gone into in a Writ Petition. If at all the petitioner is in possession of the property and any third party is interfering with his possession, his remedy lies else where. No direction as sought for by the petitioner can be given in a Writ Petition. Hence, I do not find any merits in this Writ Petition.

6. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

06.06.2024

vrc

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No

To,

1. The District Revenue Officer,
Tiruvallur District.
2. The Revenue Divisional officer,
Tiruttani Taluk, Tiruvallur District.
3. The Tahsildar,
Tiruttani Taluk, Tiruvallur District.



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N. SATHISH KUMAR, J.

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