



W.P.No.8436 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.8436 of 2024

M.Malliga

.. Petitioner

Vs.

1. The Assistant Divisional Engineer
Highways Department
Construction and Maintenance
Madurantakam, Chengalpattu District.

2. The Tahsildar
Madurantakam Taluk
Chengalpattu District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, forbearing the respondents herein from dispossessing the petitioner from her Grama Natham property situated at No.121, Pallipettai Village, Madurantakam Taluk, Chengalpattu District morefully in survey number 46/60 admeasuring to an extent of 100 square metre comprised in patta number 178 issued by the second respondent herein on the basis of the petitioners representation dated 14.03.2024.



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For the Petitioner : Mr.G.Mahesh Kumar

For the Respondents : Mr.C.Kathiravan
Special Government Pleader

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.G.Mahesh Kumar, learned counsel for the petitioner and Mr.C.Kathiravan, learned Special Government Pleader for the respondents.

2. It is submitted that without issuing notice, the petitioner is sought to be dispossessed from the land in S.No.46/60. The petitioner is issued with the patta of the said land.

3. Learned Special Government Pleader submits that notice was issued by the Highways Department in respect of S.No.46/2, but the petitioner refused the same.

4. The petitioner is not concerned with the land in S.No.46/2. If encroachment is made in S.No.46/2, the respondents will have every right to remove the said encroachment.



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5. The respondents may not dispossess the petitioner from the land in S.No.46/60 without due process of law, however, if any encroachment is found on S.No.46/2, the respondents are entitled to take further action, in accordance with law, to remove the encroachment from the land in S.No.46/2, as admittedly, the petitioner is not concerned with the land in the said survey number.

6. The writ petition, as such, stands disposed of. There shall be no orders as to costs. Consequently, W.M.P.No.9393 of 2024 is closed.

(S.V.G., CJ.)

(J.S.N.P., J.)

02.04.2024

Index : Yes/No
Neutral Citation : Yes/No

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To

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THE HON'BLE CHIEF JUSTICE
AND
J.SATHYA NARAYANA PRASAD, J.

(drm)

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