



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.12004 of 2024

R.Elangovan

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Petitioner

versus

- 1.The District Collector,
Office of the Collectorate,
Salem District.
- 2.The District Revenue Officer,
Office of the Collectorate,
Salem District.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Attur Taluk,
Salem District.
- 4.The Tahsildar,
Office of the Tahsildar,
Attur Taluk,
Salem District.
- 5.The Inspector of Police,
Malliyakarai Police Station,
Attur Taluk, Salem District.
- 6.The Block Development Officer,



Panchayat Office,
Attur Taluk,
Salem District.

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Respondents

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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the respondents 3 and 4 authorities from dispossessing the petitioner from the property in S.No.35/1 to an extent of about 0.36.5 hectare in Malliyakari Village, Salem District without following due process of law by considering the petitioner's representation dated 11.03.2024.

For Petitioner	:	Mr.A.Rajakumar
For Respondent Nos.1 to 4 & 6 :		Mr.A.Selvendran Special Government Pleader
For Respondent No.5	:	Mr.S.Sugendran Additional Public Prosecutor

ORDER

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

2. This Writ Petition is filed to direct the respondents 3 and 4 authorities from dispossessing the petitioner from the property in S.No.35/1 to an extent of about 0.36.5 hectare in Malliyakari Village, Salem District,



without following due process of law, by considering the petitioner's representation dated 11.03.2024.

3. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents 1 to 4 & 6 and the learned Additional Public Prosecutor for the fifth respondent and perused the materials available on record.

4. The case of the petitioner is that the property in Survey No.35/1, situated at Malliyakarai Village, Attur Taluk, Salem District, is an ancestral property and the petitioner is doing agricultural activity in the said property. The grievance of the petitioner is that the fourth respondent with the help of the fifth respondent trespassed into the petitioner's property without following due process of law. In this regard, the petitioner made representation dated 11.03.2024 before the respondents to take appropriate action on the respondent authorities, who had trespassed into his property without following due process of law. However, the same has not been considered by the respondents. Hence, the present Writ Petition.



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5. Considering the limited nature of the relief sought for in the present Writ Petition, there shall be a direction to the respondents to consider the representation of the petitioner dated 11.03.2024 and pass appropriate orders, on its own merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

03.06.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

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N.SATHISH KUMAR, J.

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