



WEB COPY



W.P.No.13075 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2024

CORAM :
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE K.RAJASEKAR

W.P.No.13075 of 2020
and
W.M.P.No.16205 of 2020

M.Mohanasundari

... Petitioner

Vs.

1.The District Collector,
Tiruvallur District,
Tiruvallur Collector Office,
Tiruvallur.

2.The Revenue Divisional Officer,
Ponneri Revenue Divisional Office,
Ponneri, Tiruvallur District.

3.The Thasildar,
Ponneri,
Madhavaram Taluk,
Ponneri,
Tiruvallur District.

4.The Inspector General of Registration,
Tamil Nadu, Santhome High Road, Mylapore,
Chennai – 600 004.

... Respondents



W.P.No.13075 of 2020

(R4 impleaded vide order dated 05.07.2021 made in
W.M.P.No.10258 of 2021 in W.P.No.13075 of 2020
by NKKJ, TVTSJ)

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Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Prohibition, as against the respondents and their men or agents of the person appointed or permitted from changing or converting classification or nature of the land or encroaching upon or putting up construction or any manner of structure on the cart tract situated in survey No.33 & 34 of Palavoyal Village, Ponneri Taluk, Tiruvallur District.

For Petitioner : Mr.V.Manohar

For R1 to R4 : Mr.A.Selvendran
Special Government Pleader

: Mr.S.Magesh
Advocate Commissioner

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.)

The writ of prohibition has been instituted against the respondents and their men or agents of the person appointed or permitted from changing or converting classification or nature of the land or encroached upon or putting up construction or any manner of structure on the cart tract situated in Survey Nos.33 & 34 of Palavoyal Village, Ponneri Taluk, Tiruvallur District.



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2. The relief as such sought for cannot be considered, in view of the fact that even as per the petitioner, no further classifications or conversions are made. Only in the event of establishing a cause or infringement of right, the writ petition is entertainable. Certain presumptive actions would not provide cause for institution of writ proceedings. The writ petition is pending for the past about four years. If at all, any encroachment is identified as of now, the respondents shall initiate all appropriate actions to remove the encroachments. Any illegality in the matter of classification of lands are identified that also to be dealt with in accordance with law.

3. However, a writ of prohibition in general cannot be granted by this Court, unless the petitioner establish a definite cause for the purpose of considering the issues. Regarding the grievances of the petitioner to provide pathway, she is at liberty to approach the appropriate forum for the purpose of redressal of her grievances.



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4. With this liberty, this Writ Petition stands disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

[S.M.S.J.] [K.R.S.J.]
21.03.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
veda

To

- 1.The District Collector,
Tiruvallur District,
Tiruvallur Collector Office,
Tiruvallur.
- 2.The Revenue Divisional Officer,
Ponneri Revenue Divisional Office,
Ponneri, Tiruvallur District.
- 3.The Thasildar,
Ponneri,
Madhavaram Taluk,
Ponneri,
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S.M.SUBRAMANIAM,J.
AND
K.RAJASEKAR,J.

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Order in
W.P.No.13075 of 2020

21.03.2024