



WEB COPY



W.P.No.17407 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.17407 of 2023

S. Maheshwari

...Petitioner

Vs

1. The Commissioner,
Ariyalur Municipality,
Ariyalur.

2. The Tahsildhar,
Ariyalur Taluk, Ariyalur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the first respondent from making any construction activities in the Patta land of the petitioner in SF No. 608/4A2 of Ariyalur South Village, Ariyalur.

For Petitioner : Mr. S. Kamadevan

For Respondents : Mr.P. Gurunathan
Additional Government Pleader

ORDER



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2. The case of the petitioner is that the petitioner is the owner of the land in SF No. 608/4A2 of Ariyalur South Village, Ariyalur by way of a settlement deed dated 13.07.2022. While so, the officials of the first respondent claiming that the subject property belongs to the Government and have planned to construct overhead water tank in the subject property. The grievance of the petitioner is that the petitioner is the absolute owner of the subject property and she is in possession and enjoyment of the same and the first respondent has no right or authority in the subject property.

3. The learned counsel for the petitioner submitted that subject property belongs to the petitioner and to establish the same, he has documents such as settlement deed, patta etc., Hence, prays to allow this petition.



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4. The learned Government Advocate appearing for the respondents submitted that they have received a letter dated 03.04.2024 in Na.Ka.No.15/2024 settled from the concerned Tahsildhar, wherein it has been stated that the petitioner is the owner of the subject property.

5. On a perusal of the letter sent by the Thasildhar, Ariyalur it is made clear that the respondent themselves has admitted that the subject property belongs to the petitioner and they will not put up any water tank. Therefore, it is made clear there is no hindrance for the petitioner in enjoying her property and the undertaking is recorded.

6. In view of the above, this Writ Petition is allowed. No costs.

03.04.2024

Index: Yes/No
Speaking order/Non-speaking order
smn



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WEB COPY To

1. The Commissioner,
Ariyalur Municipality,
Ariyalur.
2. The Tahsildhar,
Ariyalur Taluk, Ariyalur District.

V.BHAVANI SUBBAROYAN,J.



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