



WEB COPY



WP.No.18597 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **08.07.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.18597 of 2024 & WMP.No.20387 of 2024

Rajagopal

.. Petitioner

Versus

1. The District Collector,
Cuddalore, Cuddalore District.
2. The District Revenue Officer,
Cuddalore, Cuddalore District.
3. The Revenue Divisional Officer,
Viruthachalam, Cuddalore District.
4. The Tahsildar,
Thittakudi Town and Taluk, Cuddalore District.
5. The Inspector of Police,
Thittakudi Police Station, Thittakudi, Cuddalore District.
6. The Village Administrative Officer, Perumalai Village,
Thittakudi Town and Taluk, Cuddalore District.

7.Dhanavel

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondents not to interfere in the peaceful possession of the petitioner property in Old S.No.186, New S.No.289/33A to an extent of 1,721 sq.ft. situated at Perumuali Village,



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Tittakudi Taluk, Cuddalore District without following the procedure established by law.

For Petitioner : Mr.S.Sarath Chandran

For Respondents : Mr.P.Sathish
Additional Government Pleader – R1 to R4, R6

Mr.S.Sugenddran,
Additional Public Prosecutor – R5

ORDER

Since no adverse Order has been passed against the seventh respondent, notice to him is dispensed with. 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 forbear the respondents not to interfere in the peaceful possession of the petitioner property in Old S.No.186, New S.No.289/33A to an extent of 1,721 sq.ft. situated at Perumuali Village, Tittakudi Taluk, Cuddalore District without following the procedure established by law.

3. Heard learned counsel for the petitioner and the learned



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Additional Government Pleader appearing for the respondents 1 to 4 and 6 and the Additional Public Prosecutor for the fifth respondent and perused the materials available on record.

4. It is the case of the petitioner that the petitioner purchased the subject property to an extent of 1031 ½ sq.ft. vide registered sale deed in Document No.141 of 2019. While so, the seventh respondent disputed the patta of the vendor of the petitioner in the year 2019 and he has also given a petition before the respondents as a result of which the patta issued to the petitioner has been cancelled. Against which the petitioner has filed an appeal before the second respondent and the same is pending. Now the seventh respondent is attempting to take possession of the property. Hence, the present Writ Petition.

5. The learned counsel appearing for the seventh respondent submitted that the respondent has filed a suit in O.S.No.204 of 2023 for permanent injunction before the District Munsif, Thittagudi, and also sought interim injunction in the suit. Now the petitioner has filed the present Writ Petition with innocuous prayer for similar relief and hence, prayed for dismissal of this Writ Petition.



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6. A perusal the very affidavit and other materials, it appears that there is civil dispute between the parties. In such view of the matter, this Court cannot grant any such blanket direction. It is for the petitioner to establish his right in a Civil Court. Hence, I do not find any merits in this Writ Petition.

7. Accordingly, this writ petition is dismissed. No costs.

08.07.2024

vrc

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

To,

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N. SATHISH KUMAR, J.

vrc

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