



WEB COPY

W.P.No.17999 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.17999 of 2024
and WMP.No.19740 of 2024

M.Anandhi

...

Petitioner

vs

1.The District Collector,
Office of the District Collector,
Tiruvannamalai District.

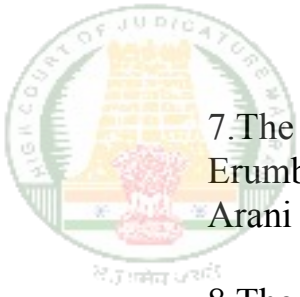
2.The District Revenue Officer,
District Revenue Office,
Arani, Tiruvannamalai District.

3.The Revenue Divisional Officer,
Revenue Divisional Office,
Arani, Tiruvannamalai District.

4.The Assistant Elementary Education Officer,
Boys Higher Secondary School Campus
Arni, Tiruvannamalai – 632 301.

5.The Tahsildar
Arani Taluk Office,
Tiruvannamalai District.

6.The Block Development Officer,
Arani Panchayat Union,
Arani Town, Tiruvannamalai District.



7.The Panchayat President
Erumbedu Panchayat
Arani Town, Tiruvannamalai District.

8.The Village Administrative Officer,
Erumbedu Village,
Arani Taluk, Tiruvannamalai District.

9.M.Lokeswari

10.G.Kalidoss

11.Jayaraj

12.T.Annadurai

13.C.Velu

14.P.Palani.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to forbearing the respondents 1 to 8 from interfering with petitioner possession and enjoyment of the property situated at Irumbedu Village, Arani Taluk, Tiruvannamalai District comprised in S.No.189/22 new S.No.189/20, 189/24 an extent of 2544 sq.ft without due process of law and consequently direct the 3rd respondent to enquire into the aforesaid illegal act of the respondents 5 to 14 based on the petitioner representation dated 22.12.2023.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.P.Sathish, AGP for R1 to R3.
Mr.M.Rajendran, AGP for R4.
Mr.R.Kumaravel, AGP for R6 & R7



ORDER

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

2. The case of the petitioner is that he was in possession and enjoyment of 624 sq.ft of land in S.No.189/20 RE Survey No.189/24 and constructed a house, bath room and septic tank in the property. The patta was issued in Patta No.687 and the petitioner is also paying property tax from the year 2011. However, the official respondents is trying to demolish the bathroom and septic tank. The petitioner had already filed a suit in OS.No.204 of 2012 on the file of the District Munsif, Arani for the relief of permanent injunction, even now the respondents are trying to interfere with the peaceful possession of the property.

3. The learned counsel for the official respondents submits that the petitioner is an encroacher, the suit is also pending. The petitioner has filed the writ petition to take action against the respondents 5 to 14 based on his representation dated 22.12.2023.



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4. Considering the fact, if the petitioner encroaches the Government land, let the authorities shall initiate appropriate action under Tamil Nadu Land Encroachers Act for removal of the petitioner from the land and by following due process of law before taking any action.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

09.07.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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N.SATHISH KUMAR, J.

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