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W.P. No.32670 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P. No.32670 of 2024

Anbu

... Petitioner

Vs.

1.The District Collector,
NH-40, Ranipet District Collector Office,
Ranipet, Tamil Nadu-632 401.

2.The District Revenue Officer,
Ranipet, Ranipet District-632 513.

3.The Tahsildar,
MBT Road, Walajapet,
Ranipet-632 513.

4.The Surveyor,
Walajapet Municipality Office,
Walajapet, Ranipet-632 513.

5.Manjunath

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the Respondents 1 to 4 for removal of the stone pillars illegally put up by the 5th Respondent in the petitioner's land situated in Survey No.2129, Door No.44/2, New Ambedkar Street, Walajapet, Ranipet within a stipulated time fixed by this Court.



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For Petitioner : Mr.M.Aravind Subramaniam
Senior Advocate
for Mr.G.Mutharasu

For Respondents : Mr.A.Selvendran
Special Government Pleader (for R1 to R4)

ORDER

This writ petition has been filed seeking a direction to the Respondents 1 to 4 to remove the stone pillars illegally put up by the 5th Respondent in the petitioner's land in Survey No.2129 situated at Door No.44/2, New Ambedkar Street, Walajapet, Ranipet.

2. It is the case of the petitioner that she had been in possession and enjoyment of the subject property for more than 34 years and there was a dispute between the petitioner and the 5th Respondent and the petitioner filed a Civil Suit in O.S.No.287 of 2024 on the file of the Sub-Court, Ranipet seeking declaration and permanent injunction as the 5th Respondent had entered the property of the petitioner and had put up stone pillars with the help of revenue people. Therefore, the petitioner submitted a representation dated 18.10.2024 before the official Respondents seeking their intervention for removal of the stone pillars. The said representation has not been considered. Hence, the petitioner has come before this Court.



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3. The learned Additional Government Pleader who takes notice for the Respondents would submit that the representation of the petitioner will be considered on its own merits within the time stipulated by this Court.

4. This Court is not expressing any opinion on the maintainability of the prayer made by the petitioner before the revenue authorities. However in view of the allegation made by the petitioner that stone pillars were put up by the 5th Respondent with the help of the revenue people, without expressing any opinion on the merits of the petition, this Court is inclined to direct the 3rd Respondent to consider the representation of the petitioner dated 18.10.2024 and pass orders on its own merits, after issuing notice to the petitioner and 5th Respondent, within a period of 8 weeks from the date of receipt of a copy of this order.

5. Accordingly, the writ petition is disposed of. No costs.

30.10.2024

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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S.SOUNTHAR, J.

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To:

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(4/4)