



W.P.No.27433 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2024

CORAM :

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.27433 of 2018

G.Rani

... Petitioner

Vs.

1.The District Collector,
Kancheepuram District.

2.The Tahsildar,
Pallavaram,
Chennai – 600 044.

3.The Deputy Tahsildar,
Pallavaram,
Chennai – 600 044.

4.The Revenue Inspector,
Mangaadu,
Chennai – 600 044.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus forbearing the respondents 2 to 4 from interfering in any manner in respect of the petitioner's property situated Plot



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No.3, Srinivasa Nagar, Mangadu Village, Sriperumbudur Talu, Kancheepuram

District measuring an extent of 5100 sq.ft comprised in Survey Number 170.

For Petitioner : M/s.S.Vijay
for M/s.S.Kumar

For Respondent : Mr.K.Surendran
Additional Government Pleader

ORDER

Heard the learned counsel appearing on behalf of the petitioner and the learned Additional Government Pleader appearing for the respondents.

2. This is a petition filed by the petitioner seeking to forbear respondents 2 to 4 from interfering with the peaceful possession and enjoyment of the property at plot No.3, Srinivasa Nagar, Mangadu Village, Sriperumbudur Taluk, Kancheepuram District measuring an extent of 5,100 sq.ft comprised in S.No.170.



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3. It is the case of the petitioner that she purchased the subject property for a valuable consideration through sale deed in doc.No.677 of 2012 dated 23.1.2012 on the file of the Sub-Registrar, Kundrathur. Further, the layout was approved by the competent authority. The patta also stands in the name of the petitioner. After purchase, when the petitioner started construction activities, respondents 2 to 4 disturbed the peaceful possession and enjoyment of the petitioner and attempted to lay storm water canal in the subject property. Hence, the petitioner was constrained to file a civil suit. However, on the undertaking given by the second respondent that there would not be any disturbance, the petitioner withdrew the suit. Subsequent to withdrawal of the suit, on 05.10.2018, respondents 2 to 4 trespassed into the subject property and started excavating the subject land. Hence, the petitioner sent representations dated 05.10.2018 and 07.10.2018 to the first respondent and various officials. In spite of it, respondents 2 to 4 did the same thing. Hence the writ petition.

4. Considering the limited nature of the prayer sought for and without expressing any opinion on the merits of this case, the writ petition is disposed of by directing the first respondent to consider the petitioner's representations dated 05.10.2018 and 07.10.2018 on merits after giving notice to both the



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parties, opportunity of personal hearing and to pass appropriate orders on merits and accordance with law by observing the above principles of natural justice within a period of eight weeks from the date of receipt of a copy of this order. No costs.

15.07.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation : Yes/No
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To

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