



W.P.(MD)No.13182 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

WP(MD)No.13182 of 2018

and

W.M.P.(MD)Nos.12031 & 12032 of 2018

Dhanalakshmi

... Petitioner

Vs.

1. State of Tamil Nadu

Rep. by the Principal Secretary,
Commissioner of Land Administration,
Land Administration Department, Chepauk,
Ezhilagam, Chennai - 600 005.

2. The District Collector,
Collectorate Building, Thanjavur,
Thanjavur District.

3. The Revenue Divisional Officer,
O/o. the Revenue Divisional Office,
Pattukottai, Thanjavur District.

4. The Special Tahsildar
Land Settlement Registry, Pattukottai,
Thanjavur District.



W.P.(MD)No.13182 of 2018

5. The Tahsildar

Pattukottai Taluk, Pattukottai,
Thanjavur District.

6. The Village Administrative Officer,

Seruvavidhuthi Village,
Pattukottai Taluk,
Thanjavur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the Respondents Nos.2 to 6 from evicting the petitioner and unearthing the planted Coconut Tress in respect of the petitioners land in Patta Nos.721 and 722 in Survey Nos. 190 D3 and 190 D5 for an extent of 1.00 Acres, 20 Acres, both lands are situated at Seruvaviduthi Village, Pattukottai Taluk, Thanjavur District, without following the due process of law and consequently direct the respondents No.3 to 6 to remove the numbers assigned to all the Coconut Trees in the petitioner's land.

For Petitioner : Mr.A.C.Asaithambi

For Respondents : Mr.C.Satheesh
Government Advocate

ORDER

The petitioner filed the present writ petition seeking issuance of writ of mandamus, to forbear the respondents 2 to 6 from evicting the



W.P.(MD)No.13182 of 2018

WEB COPY

petitioner and unearthing the planted coconut Tress in respect of the petitioner's land in Patta Nos.721 and 722 in Survey Nos.190 D3 and 190 D5 for an extent of 1.00 Acres, 20 Acres, respectively situated at Seruvaviduthi Village, Pattukottai Taluk, Thanjavur District, without following due process of law.

2. I have heard the learned counsel on either side.

3. According to the learned counsel for the petitioner, the petitioner and before the petitioner's predecessors-in-interest of the petitioner have been in possession and enjoyment of the subject land and patta in patta Nos. 721 and 722 have also been granted. Even electricity service connection was also provided by the electricity officials. The grievance of the petitioner is that under the guise of constructing a police station, the petitioner's lands are attempted to be recovered, without following due process of law. The learned counsel for the petitioner would also submit that the claim for acquiring the petitioner's lands for constructing a police station also does not survive, since the police station has already been constructed in a different location.



W.P.(MD)No.13182 of 2018

WEB COPY

4. Mr.C.Satheesh, learned Government Advocate, would submit that the lands in respect of which the petitioner claims title or classified as Government Poramboku Punjai Tharisu Lands and therefore, the petitioner has no legitimate right over the said land.

5. Be that as it may, if at all, the case of the respondents that the petitioner is an encroacher and the petitioner is not in occupation of patta lands, then, it shall be open to the respondents to take appropriate steps in accordance with the law. It shall not be open to the respondents to act in a high handed manner and forcibly dispossess the petitioner and pass orders, even if the petitioner is found to be an encrocher. If at all any such proceedings are lodged against petitioner, it shall be open to the petitioner, to contest the same and claim right over the subject lands, including compensation, in the event of any acquisition proceedings.



W.P.(MD)No.13182 of 2018

WEB COPY

6. This Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Index : Yes / No
NCC : Yes / No
LS

15.04.2025

To

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3. The Revenue Divisional Officer,
O/o. the Revenue Divisional Office,
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5. The Tahsildar

5/7



W.P.(MD)No.13182 of 2018

WEB COPY

Pattukottai Taluk, Pattukottai,
Thanjavur District.

6. The Village Administrative Officer,
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W.P.(MD)No.13182 of 2018

P.B. BALAJI, J.

LS

Order made in
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