



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 1394 of 2023

and

WMP No.1471 of 2023

C.Pushpa

..Petitioner(s)

Vs

1. The Principal Chief Conservator of Forests,
Forest Headquarters Building,
Near Kannikapuram Check-Post,
Guindy-Velacherry Main Road,
Guindy, Chennai-600 032.
2. The District Forest Officer,
Namakkal Division,
Collectorate Building Campus,
Nallipalayam Post,
Namakkal-637 003.
3. The Forest Ranger,
Kolli Hills Range,
Valavanthinadu Post,
Namakkal Taluk and District.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of writ of mandamus, forbearing the officials attached to the respondents from disposing the petitioner from her house bearing Door Nos.25/40, 25/42 and 25/43, comprised in S.No.286/1 (Re-survey No.689) situated at Valavanthinadu Village, Semmedu Post, Kolli Hills, Namakkal District without following due process of law, by considering the petitioners representation dated 05.01.2023.



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For Petitioner(s):

Mr.N.Vijaya Basker
for Law Vision

For Respondent(s):

Mr.T.K.Saravanan, AGP

ORDER

This writ petition is filed to forbear the officials attached to the respondents from disposing the petitioner from her house bearing Door Nos.25/40, 25/42 and 25/43, comprised in S.No.286/1 (Re-survey No.689) situated at Valavanthinadu Village, Semmedu Post, Kolli Hills, Namakkal District without following due process of law, by considering the petitioners representation dated 05.01.2023.

2. Learned counsel for the petitioner would submit that the property comprised in Old S.No.286/1, New S.No.689, situated at Semmedu, Valavanthinadu, Namakkal District belongs to petitioner's mother in law. However, the said possession was disturbed by the respondents 2 & 3, since the said land belongs to Forest Department. Hence, the petitioner's mother-in-law filed a civil suit in O.S.No.230 of 2006, before the Additional District Court, Namakkal against the respondents 2 & 3 seeking permanent injunction preventing them from disturbing the peaceful possession and enjoyment over the said property. The said suit was decreed in favour petitioner's mother-in-law on 23.07.2009. This being the case, now, the respondents 2 & 3 are again



making hindrance to the peaceful possession of the petitioner's property.

Hence, this writ petition.

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3. Learned Additional Government Pleader appearing for the respondents would submit that the petitioner has obtained judgment and decree only to an extent of 35 ft length and 11 ft depth. However, she is attempting to encroach over and above the portion mentioned in the judgement and decree dated 23.07.2009.

4. In reply to the said submission, learned counsel for the petitioner would submit that the petitioner has not encroached on any land outside the scope of the judgment and decree in O.S.No.230 of 2006, dated 23.07.2009.

5. Heard the learned counsel on either side and perused the materials available on record.

6. As the petitioner's interest in the subject property has already legally protected by virtue of the decree in O.S.No.230 of 2006, dated 23.07.2009, by restraining the respondents 2 & 3 from interfering with her peaceful possession of an area measuring 35 ft length and 11ft depth. Therefore, the respondents are directed not to take any action against the petitioner, unless it is established that she has encroached upon land exceeding the dimensions specified in the said decree and judgment.



With aforesaid direction, this writ petition stands disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

27-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To:

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2. The District Forest Officer,
Namakkal Division, Collectorate Building
Campus, Nallipalayam Post,
Namakkal-637 003.
3. The Forest Ranger,
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KRISHNAN RAMASAMY, J.

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