



W.P.(MD)Nos.9642, 9705 & 9716 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :04.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)Nos.9642, 9705 & 9716 of 2020

and

W.M.P.(MD).Nos.8688, 8712 7 8723 of 2020

W.P.(MD).No.9642 of 2020

P.Pitchaimuthu

... Petitioner

Vs.

- 1.The District Collector,
Thanjavur District,
District Collectorate,
Thanjavur.
- 2.The Chief Engineer,
Kallanai Canal Division,
Trichy, Thanjavur, Thiruvarur District,
Near S.R.M.Hotel,
K.K.Nagar, Trichuchirapalli.
- 3.The Assistant Executive Engineer,
Kallanai Canal Division,
Boodhalur,
Thanjavur District.
- 4.The District Revenue Officer,
Thanjavur Collectorate,



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Thanjavur District.

5.The Revenue Divisional Officer,
Office of the Revenue Divisional office,
Katcheri Road, Kumbakonam,
Thanjavur District.

6.The Tahsildar,
Taluk Office,
Boodhalur Taluk,
Thanjavur District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to grant patta to the petitioner in the Tharisu Promboke land, situated beyond tank watershed area and tank bund of Ayyanar lake, comprised in S.No.422, Maraneri Village, Boodhalur Taluk, Thanjavur District, on a par with other 100 farmers who have already been granted patta in the above said Tharisu Promboke lands with reference to joint representation dated 10.07.2020 and in the light of the facts that the petitioner is in continuous possession and doing agricultural activities in the above said Thrisu promboke lands by virtue of grant order issued by the Revenue Department during the period of the British Government for over 90 years for out livelihood for generation and the petitioner paying "B" Memo charges and nearly 100 farmers have already been issued pattas in Tharisy promboke lands and they are in possession of and carrying out agricultural activities in their respective tharisu promboke lands.



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For Petitioner :No appearance
For Respondents :Mr.A.K.Manikkam
Special Government Pleader

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M.Alaguraj

... Petitioner

Vs.

- 1.The District Collector,
Thanjavur District,
District Collectorate,
Thanjavur.
- 2.The Chief Engineer,
Kallanai Canal Division,
Trichy, Thanjavur, Thiruvarur District,
Near S.R.M.Hotel,
K.K.Nagar, Trichuchirapalli.
- 3.The Assistant Executive Engineer,
Kallanai Canal Division,
Boodhalur,
Thanjavur District.
- 4.The District Revenue Officer,
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Thanjavur District.
- 5.The Revenue Divisional Officer,
Office of the Revenue Divisional office,
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Thanjavur District.



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6.The Tahsildar,
Taluk Office,
Boodhalur Taluk,
Thanjavur District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to grant patta to the petitioner in the Tharisu Promboke land, situated beyond tank watershed area and tank bund of Ayyanar lake, comprised in S.No.412, Maraneri Village, Boodhalur Taluk, Thanjavur District, on a par with other 100 farmers who have already been granted patta in the above said Tharisu Promboke lands with reference to joint representation dated 10.07.2020 and in the light of the facts that the petitioner is in continuous possession and doing agricultural activities in the above said Thrisu promboke lands by virtue of grant order issued by the Revenue Department during the period of the British Government for over 90 years for out livelihood for generation and the petitioner paying "B" Memo charges and nearly 100 farmers have already been issued pattas in Tharisy promboke lands and they are in possession of and carrying out agricultural activities in their respective tharisu promboke lands.

For Petitioner :No appearance

For Respondents :Mr.A.K.Manikkam
Special Government Pleader



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D.Natarajan

... Petitioner

Vs.

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K.K.Nagar, Trichuchirapalli.
- 3.The Assistant Executive Engineer,
Kallanai Canal Division,
Boodhalur,
Thanjavur District.
- 4.The District Revenue Officer,
Thanjavur Collectorate,
Thanjavur District.
- 5.The Revenue Divisional Officer,
Office of the Revenue Divisional office,
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Thanjavur District.
- 6.The Tahsildar,
Taluk Office,
Boodhalur Taluk,
Thanjavur District.

... Respondents



W.P.(MD)Nos.9642, 9705 & 9716 of 2020

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to grant patta to the petitioner in the Tharisu Promboke land, situated beyond tank watershed area and tank bund of Ayyanar lake, comprised in S.Nos.428 and 429, Maraneri Village, Boodhalur Taluk, Thanjavur District, on a par with other 100 farmers who have already been granted patta in the above said Tharisu Promboke lands with reference to joint representation dated 10.07.2020 and in the light of the facts that the petitioner is in continuous possession and doing agricultural activities in the above said Thrisu promboke lands by virtue of grant order issued by the Revenue Department during the period of the British Government for over 90 years for out livelihood for generation and the petitioner paying "B" Memo charges and nearly 100 farmers have already been issued pattas in Tharisy promboke lands and they are in possession of and carrying out agricultural activities in their respective tharisu promboke lands.

For Petitioner :No appearance

For Respondents :Mr.A.K.Manikkam
Special Government Pleader

COMMON ORDER

All these writ petitions have been filed for a direction to the respondents to grant patta to the petitioners with respect to the subject properties.



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2. When the matters were taken up for hearing, the learned Special Government Pleader, by placing reliance upon the counter affidavit filed by the third respondent, submitted that the subject property has been classified as a water body in the revenue records and hence, there is no scope for granting any patta in favour of the petitioners.

3. In the light of the specific stand taken by the respondents in the counter affidavit, the relief sought for by the petitioners cannot be granted. Accordingly, these writ petitions are dismissed. No costs. Consequently connected Miscellaneous Petitions are closed.

04.10.2023

NCC :Yes/No
Index :Yes/No

RR



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N.ANAND VENKATESH, J.

RR

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