



W.P.(MD).No.19601 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 03.10.2023

CORAM

**THE HON'BLE MR JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR JUSTICE V.LAKSHMINARAYANAN**

W.P.(MD).No.19601 of 2023

Virumayee

.. Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Usilampatti Revenue Division,
Usilampatti,
Madurai District.

3.The Tahsildar,
Usilampatti Taluk Office,
Usilampatti,
Madurai District.

4.Poonkodi

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment made by the 4th respondent in the Government Poramboke



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Land situated in Survey No.45, Nalluthevanpatti, Pothampatti Village, Usilampatti Taluk, Madurai District, in the light of the petitioner's representation dated 22.07.2023, within a time frame, as fixed by this Court.

For Petitioner : Mr.P.Santhana Krishnan
For R-1 to R-3 : Mr.S.Kameswaran
Government Advocate
For R-4 : Mr.K.Muthu Ganesa Pandian

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.)

The relief sought for in the present Writ Petition is to direct the respondents 1 to 3 to remove the encroachment made by the fourth respondent in the Government poromboke land in Survey No.125/45, Nalluthevanpatti, Pothampatti Village, Usilampatti Taluk, Madurai District.

2. Today, when the matter was taken up for hearing, the learned Government Advocate appearing for the respondents 1 to 3 produced a copy of the letter of the Tahsildar/third respondent, dated 14.08.2023. The written instructions given by the third respondent reveals that the subject land has been classified as grama natham and the fourth respondent was



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assigned three cents of land for constructing a house, since they were in occupation of the natham land for several years.

3. Since assignment patta has already been granted in favour of the fourth respondent to construct house and three cents of land was assigned to her, there is no infirmity in respect of the action and such assignment is protected and governed under the provisions of RSO.21. That being the factum, the claim of the writ petitioner is untenable and consequently, the Writ Petition stands dismissed. There shall be no order as to costs.

(S.M.S.,J.) (V.L.N.,J.)
03.10.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm



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and
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