



W.P.(MD)Nos.13203, 13206 and 13210 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.09.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)Nos.13203, 13206 and 13210 of 2015
and
M.P.(MD)Nos.1, 1, 1, 2, 2, 2, 3 and 3 of 2015

Myilathal	... Petitioner in W.P.(MD)No.13203 of 2015
Selvi @ Selvam	... Petitioner in W.P.(MD)No.13206 of 2015
Parameswari	... Petitioner in W.P.(MD)No.13210 of 2015

Vs.

- 1.The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Revenue Department, Secretariat,
Fort St. George, Chennai – 600 009.
- 2.The Special Commissioner and Commissioner
of Land Administration Department,
Chepauk, Chennai – 600 005.
- 3.The District Collector,
Dindigul District,
Dindigul.
- 4.The District Revenue Officer,
Palani, Dindigul District.
- 5.The Revenue Divisional Officer,
Palani, Dindigul District.



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6.The Tahsildar,
Ottanchathiram Taluk,
Dindigul District.

7.The Commissioner of
Ottanchathiram Municipality,
Ottanchathiram,
Dindigul District.

... Respondents in all W.Ps.

Common Prayer : Writ Petitions filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Impugned Section 6 Notice dated 30.04.2015 in Na.Ka.No.339/2015/E3 issued by the 6th respondent and to quash the same and direct the 6th Respondent to issue Patta for the Petitioner's residence within the time stipulated by this Court.

(In all W.Ps)

For Petitioner : Mr.M.R.Sreenivasan

For Respondents : Mr.D.Gandhiraj,
Spl. Government Pleader for R1 to R6.
Mr.J.Parekhkumar for R7.

COMMON ORDER

Heard both sides.



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2.The petitioners challenge the notice issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905. It is seen that the petitioners were in occupation of S.No.15 in Ottanchathiram Village. The learned counsel for the petitioners would strongly contend that S.No.15 had been sub-divided and a substantial portion of the same has been reclassified as natham so that it can be parcelled and pattas issued to poor people.

3.The genuineness of the documents relied by the petitioners is strongly questioned by the learned Special Government Pleader. Copy of the 'A' Register has been produced. It clearly states that S.No.15 has been classified as cart track. I am therefore not in a position to sustain the stand of the writ petitioners. The impugned notice issued under Section 6 of the Act is sustained and the writ petitions are dismissed.

4.At the same time, the petitioners are permitted to submit a fresh petition for allotment of alternative site before the District Collector, Dindigul. The learned counsel for the petitioners claims that their request was earlier recommended. Those documents can also be enclosed along with the application. The third respondent is directed to



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consider the said application and pass an order on merits and in accordance with law within a period of ten weeks thereafter. No costs.

Consequently, connected miscellaneous are closed.

21.09.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The Secretary to Government,
Revenue Department, Secretariat,
Fort St. George, Chennai – 600 009.
- 2.The Special Commissioner and Commissioner
of Land Administration Department,
Chepauk, Chennai – 600 005.
- 3.The District Collector,
Dindigul District,
Dindigul.
- 4.The District Revenue Officer,
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G.R.SWAMINATHAN, J.

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