



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.18888 of 2015

S.M.Murugan

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Special Tahsildar,
(Land Acquisition),
Schedule Caste Welfare,
Usilampatti,
Madurai District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to measure the house plots and handed over the possession to the 80 beneficiaries in Survey No.136/2B2 in E.Kottaipatti Village Perayur Taluk Madurai District as per the settlement patta issued by the 2nd Respondent in Na.Ka.No.195/2001/2A dated 06.09.2007 for the schedule caste welfare.

For Petitioner

: Mr.K.Sudalaiyandi

For Respondents

: Mr.M.Alagadevan,
Special Government Pleader.

ORDER

(Order of the Court was made by R.SUDHAKAR,J.)

The writ petition has been filed in public interest contending that settlement patta has been given to 80 persons by the second respondent on 06.09.2007 and that the second respondent Special Tahsildar is taking steps to cancel the same. However, no proof has been filed in support of such allegation.

2.It is stated that the settlement pattas have been granted in the year 2009. The petitioner claims that settlement patta has also been issued to his wife and therefore, he comes before us in the nature of public interest litigation stating that he is exposing the cause of poor. However, the so called 80 persons are not before us claiming any relief as above. If they have settlement patta in their favour which is subsisting and not cancelled by the competent



authority, they are at liberty to seek remedy against any action that may be taken as per law.

3.The writ petition has been filed in public interest in respect of those persons who are not before us, can also be objected by them stating that the petitioner is not duly authorised. We find no authorisation by the said 80 persons requesting the petitioner to approach this Court by filing public interest litigation and mere statement of sworn affidavit will not suffice. Therefore, we find no reason to entertain the writ petition in public interest. Accordingly, the writ petition is dismissed. No costs. Consequently, M.P(MD)No.1 of 2015 is closed.

Sd/-

Assistant Registrar(CSII)

/True copy/

Sub-Assistant Registrar

To

1.The District Collector,
Madurai District,
Madurai.

2.The Special Tahsildar,
(Land Acquisition),
Schedule Caste Welfare,
Usilampatti,
Madurai District.

+One cc to Mr.K.Sudalaiyandi, Advocate, SR.No.61508

+One cc to The Special Government Pleader , SR.No.61689

sms

RL/5 c- 5/11/2015

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