



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2016

CORAM :

THE HON`BLE MR.JUSTICE S.NAGAMUTHU
AND

THE HON`BLE MR.JUSTICE M.V.MURALIDARAN

WP(MD) No.8208 of 2011

RAMALINGAM

..PETITIONER

Vs.

1 THE DISTRICT COLLECTOR
MADURAI DISTRICT, OFFICE OF THE DISTRICT COLLECTOR,
MADURAI.

2 THE REVENUE DIVISIONAL OFFICER
DISTRICT COLLECTOR OFFICE, MADURAI - 20.

3 THE TAHSILDAR
THIRUMANGALAM TALUK, THIRUMANGALAM,
MADURAI DIST.

4 THE MANAGING DIRECTOR
SIPCOT, LAKSHMIPATHI RUKMANI ROAD,
EGMORE, CHENNAI - 8.

5 THE PANCHAYAT UNION ENGINEER
KALLIKUDI PANCHAYAT UNION, KALLIKUDI,
THIRUMANGALAM TALUK, MADURAI DIST.

6 THE PRESIDENT
SIVARAKOTTAI VILLAGE PANCHAYAT COUNCIL,
THIRUMANGALAM TALUK, MADURAI DIST.

7 THE PRESIDENT
KARISALKALAMPATTI VILLAGE PANCHAYAT COUNCIL,
SWAMIMALLANPATTI, THIRUMANGALAM TALUK,
MADURAI DIST.

..RESPONDENTS

Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned notification passed by the 3rd Respondent in Na.Ka.No.20405/2011/22 dated 01.07.2011 and quash the same as illegal and without jurisdiction and consequently directing the Respondent to drop all further proceedings pertaining to the proposed conversion of water bodies and other common property resources listed in the impugned notification.

For Petitioner : Mr.D.Gurusamy

For Respondents : Mr.T.R.Janarthanam

Additional Government Pleader for R1 to R4
No Appearance for R5 to R7

ORDER

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

The petitioner has come up with this writ petition challenging the proceedings of the Tahsildar, Thirumangalam in Na.Ka.No.20405/2011/22 dated 01.07.2011 addressed to the Block Development Officer, Kallikudi. In the said proceedings, the Tahsildar/3rd respondent has expressed that for the benefit of the SIPCOT, there was a proposal to acquire the lands in Sivarakottai Karisalkulampatti and Swamimallanpatti Village in Thirumangalam Taluk. He has further stated that there are some lands in the said village comprised in S.Nos.65 and 76/3 at Swamimallanpatti Village, 51/2, 64/1, 67 and 192/1 in Karisalkalampatti Village and in S.No.248 in Sivarakottai Village, which, according to the Tahsildar, are Government Promboke lands. In order to take over those lands also for the above purpose, the Block Development Officer was requested to obtain no objection certificate from the Panchayats concerned. The petitioner challenges this proceeding.

2. We have heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents and we have also perused the records carefully.

3. In this case, the petitioner has not challenged the notification, if any issued for acquiring of any particular land belonging to any individual. What is under challenge is only a letter addressed by the Tahsildar to the Block Development Officer to seek no objection certificate from the Village Panchayat in respect of the promboke lands. If the panchayat has got any objection, it is for the panchayat to raise objection. Even after that if there is any proposal for taking over the promboke lands, then only the cause of action arose to challenge the same. So far as the private lands are concerned, an individual, whose lands are sought to be acquired, he can very well challenge the same. Thus, the petitioner has filed the petition without being any cause of action and there is no public interest at all involved in the matter. Accordingly, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

TO

1 THE DISTRICT COLLECTOR
MADURAI DISTRICT, OFFICE OF THE DISTRICT COLLECTOR,
MADURAI.

<https://hcservices.ecourts.gov.in/hcservices/>

2 THE REVENUE DIVISIONAL OFFICER
DISTRICT COLLECTOR OFFICE, MADURAI - 20.



3 THE TAHSILDAR
THIRUMANGALAM TALUK, THIRUMANGALAM,
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5 THE PANCHAYAT UNION ENGINEER
KALLIKUDI PANCHAYAT UNION, KALLIKUDI,
THIRUMANGALAM TALUK, MADURAI DIST.

+1cc to the Special Government Pleader, in SR.57034

WP(MD) No.8208 of 2011

Date :28/09/2016

rr.

PBK/KM 22/12/2016 ::3P-7C: