



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.09.2016**

CORAM:

THE HONOURABLE MR.JUSTICE **S.NAGAMUTHU**
AND
THE HONOURABLE MR.JUSTICE **M.V.MURALIDARAN**

W.P. [MD] .No.2327 of 2013
and
M.P. (MD) Nos.1 and 2 of 2013

A.Selvaraj alias Kavignar Ravi : Petitioner

Vs.

- 1.The State through its Secretary to Government,
Revenue (LD1(2) Department,
Government of Tamil Nadu,
St. George Fort, Chennai-600 009.
- 2.The Special Commissioner of Land Administration,
Ezhilagam, Chennai-600 005.
- 3.The Commissioner of Land Administration,
Ezhilagam, Chennai-600 005.
- 4.The District Collector, Madurai District,
Madurai-625 020.
- 5.The Commissioner, Madurai Corporation,
Madurai-625 002.
- 6.The Tahsildar, Madurai West,
Collector's Office Campus,
Madurai-625 020.
- 7.The Registrar, University of Madras,
Chepauk, Chennai-600 005.
- 8.The Secretary, Madura College Board,
Thiruparankundram Road, Madurai-625 011.
- 9.The Management,
The New College House (P) Ltd.,
No.2, Town Hall Road, Madurai-625 001.

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10.Mr.N.Manimozhian : Respondents

RTI procedure by the fo

[Order of the Court was made by **S.NAGAMUTHU, J.**]

The petitioner has come up with this litigation under the guise of a Public Interest Litigation, seeking to quash the Government Order in G.O.(Ms).No.628, Revenue (LD1(2) Department, dated 29.10.2007, issued by the first respondent and the consequential information furnished to the petitioner by the fourth respondent under the Right to Information Act in Na.Ka.No.J1/34323/12, dated 28.08.2012, and to quash the same.

2. We have heard the learned counsel for the petitioner and the respective learned counsel appearing for the respondents. We have also perused the records carefully.

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challenge, the Government has modified the classification of the land from 'Village Natham' to 'Private Natham'.

4. The grievance of the petitioner is that the classification made is not valid and the respondents 9 and 10 cannot have title for the properties. We are not persuaded by the said argument. There is no controversy before us that the land was originally classified as 'Village Natham' and the same was sold away to the College Committee in the year 1903. Therefore, based on the same, the classification should have been changed suitably. It was not done. The further grievance of the petitioner is that a portion of the land has been sold by the College Committee to the respondents 9 and 10.

5. In our considered view, if the petitioner has got any such grievance, it is for him to work out his remedies before the appropriate forum. Whether the sale made by the College Committee or any other transfer made in favour of the respondents 9 and 10 is valid or not, cannot be gone into in this Public Interest Litigation, as it could be resolved on evidence to be let in, by affording sufficient opportunity to both parties by a competent Civil Court.

6. So far as the Government Order, classifying the land as 'Private Natham' is concerned, since, admittedly, the land was parted away by the Government in the year 1903 and since it has become a private land, the change of classification made in the Government Order cannot be found fault with.

7. The second limb of the prayer made by the petitioner is challenging the information furnished to him by the fourth respondent in Na.Ka.No.J1/34323/12, dated 28.08.2012. The said proceedings is nothing but the information furnished under the Right to Information Act for certain queries made. If the petitioner has got any grievance regarding the correctness of the information made, it is for him to work out his remedy under the Act itself. That relief also cannot be granted in a Public Interest Litigation. Thus, we do not find any merit at all in this Public Interest Litigation. If the petitioner has got any grievance regarding the transfer of the properties made by the College to third parties, it is always open to him to work out his remedy in the manner known to law.

8. The Writ Petition is, accordingly, dismissed. No costs. Consequently, the connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar (RTI)

Sub Assistant Registrar



SML

To

1.The Secretary to Government, Revenue (LD1(2) Department,
Government of Tamil Nadu, St. George Fort, Chennai-600 009.

2.The Special Commissioner of Land Administration,
Ezhilagam, Chennai-600 005.

3.The Commissioner of Land Administration,
Ezhilagam, Chennai-600 005.

4.The District Collector, Madurai District,
Madurai-625 020.

5.The Commissioner, Madurai Corporation,
Madurai-625 002.

6.The Tahsildar, Madurai West,
Collector's Office Campus, Madurai-625 020.

+1CC to Spl.Government Pleader Sr.No.56664

+1CC to Mr.R.Subramanian, Advocate Sr.No.56435

+1CC to Mr.V.Nagendran, Advocate Sr.No.56241

GJM/SS3/24.10.16-4p-10C

Order made in
W.P. [MD].No.2327 of 2013
Dated: 27.09.2016