



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 10.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN
AND
THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. [MD]. No. 1278 of 2017

and

W.M.P. (MD) No. 1060 of 2017

1. K. Krishnan
2. Malaisamy
3. S. Balakrishnan : Petitioners

Vs.

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.
3. The Tahsildar,
Manamadurai Taluk,
Manamadurai. : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus restraining the respondents from assigning the uncultivated barren lands bearing Survey No. 300/6 with an extent of 1.52.5 Ares (3 acres 80 cents) in Kurunthankulam Village, Seikalathur group, Manamadurai Taluk, Sivagangai District to any 3rd party outside villagers of other group and to keep and preserve the property and earmark the same for construction of schools, Panchayat Union office Buildings and common social hall for the benefit and welfare of the general public of the Kurunthankulam Village, and to maintain the land as grazing area, and as the area of Rainwater Harvest and for other consequential relief.

For Petitioners : Mr. S. Ramesh

For Respondents : Mr. M. Govindan,
Special Government Pleader

O R D E R

[Order of the Court was made by **K.K. SASIDHARAN, J.**]

This Writ Petition is filed in *pro bono publico* by the three villagers of Kurunthankulam Village in the district of Sivagangai, to restrain the respondents from assigning the



uncultivated barren lands bearing Survey No.300/6, Kurunthankulam Village, Seikalathur group, Manamadurai Taluk, Sivagangai District, to the general public belonging to the other Villages and maintain the lands as grazing area.

2. The learned Special Government Pleader, on instructions, submitted that the land in Survey No.300/6, having an extent of 1.52.5 Ares is classified as 'Government Poromboke - barren land'. According to the learned Special Government Pleader, such lands can be given by assignment to the landless people.

3. This Writ Petition is filed primarily on the ground that there is an attempt to assign the lands to the Villagers belonging to the other Villages. The Court is concerned only as to whether the applicants meet the eligibility criteria. Merely because the applicants are from the other Villages, it cannot be said that they are ineligible for making application for assignment. The Government have made it clear that the land in question is a Government poramboke land and as such, there is no objection for assigning the land to the landless people. We are, therefore, of the view that the petitioners have not made out a case for issuance of a Writ of Mandamus.

4. In the upshot, we dismiss the Writ Petition. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.

3.The Tahsildar,
Manamadurai Taluk,
Manamadurai.

+1cc to M/S.Special Government Pleader,SR. 65009

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