



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.19823 of 2017

and

WMP(MD) No.16093 of 2017

Palanichamy

... Petitioner

vs.

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The District Revenue Officer,
Virudhunagar,
Virudhunagar District.
3. The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.
4. The Tahsildar,
Kariapatti Circle,
Virudhunagar District.
5. The Head Quarters Deputy Tahsildar,
Kariapatti,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorari to call for the records relating to the impugned proceedings of the 4th respondent in Na.Ka.No.Aa2/3664/16 dated 28.10.2016 and quash the same.

For Petitioner : Mr.V.Sankaranarayanan

For RR - 1 to 5 : Mr.T.S.Mohammed Mohideen
Additional Government Pleader

ORDER

This writ petition has been filed seeking to quash the impugned proceedings of the fourth respondent dated 28.10.2016 in Na.Ka.No.Aa2/3664/16.



2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader for the respondents.

3. The case of the petitioner is that the land in S.No.99/2 situated at Kattukuthahai, Karisalkulam Village, Kariapatti Taluk, Virudhunagar District, which was allotted to him, was acquired by the Government for the purpose of construction of Sennampatti Canal Project. Hence, in order to get priority certificate to avail the benefits under G.O.Ms.No.188, the petitioner has submitted a representation on 29.01.2016 to the respondents. But the fourth respondent has rejected the claim of the petitioner by the impugned order dated 28.10.2016. Aggrieved by the same, the petitioner is before this Court with the above prayer.

4. The claim of the petitioner cannot be considered, since his brothers are already in Government employment. Further, the petitioner is also in possession of lands which got transferred from his mother's name. Since the petitioner's family is having sufficient means to survive, he is not entitled to have the facilities enunciated under the scheme. Under such circumstances, there is no illegality in the impugned order passed by the fourth respondent. Hence, this writ petition deserves to be dismissed.

5. Accordingly, this petition is dismissed. No costs. Consequently, WMP(MD)No.16093 of 2017 is closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The District Revenue Officer,
Virudhunagar,
Virudhunagar District.
3. The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.
4. The Tahsildar,
Rasipuram Circle,
Virudhunagar District.



5. The Head Quarters Deputy Tahsildar,
Kariapatti,
Virudhunagar District.

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+1 cc TO The Special Government Pleader in SR No. 86277

mj

AE/MR KKR/SAR2/23.11.2017/3P/7C

W.P (MD) No.19823 of 2017
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