



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2017

CORAM

THE HON'BLE MR.JUSTICE A.SELVAM

and

THE HON'BLE MR.JUSTICE P.KALAIYARASAN

W.P(MD) No.666 of 2017

Veerammal

... Petitioner

-vs-

1.The District Collector,
Thanjavur Dirtrict, Thanjavur.

2.The District Revenue Officer,
Thanjavur Dirtrict, Thanjavur.

3.The Revenue Divisional Officer,
Pattukottai,
Thanjavur District.

4.The Tahsildar,
Peravurani Taluk,
Thanjavur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus seeking direction to the respondents to consider my representation dated 26.12.2016 and not to evict the petitioner from the possession of the land in Survey No. 97/6 measuring an extent of 34 Acres of Nanja Land assignment to the petitioner pursuant to the assignment granted by the 4th respondent on 08.11.2016 by the proceedings No.128/0-6/b4.

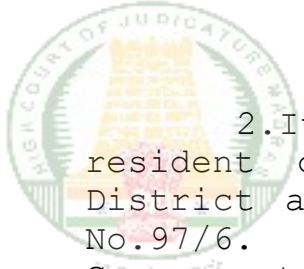
For Petitioner : Mr.D.R.Murugesan

For Respondents : Mr.D.Muruganantham
Additional Government Pleader

O R D E R

[Order of the Court was made by **A.SELVAM, J.**]

This Writ Petition has been filed under Article 226 of the Constitution of India praying to direct the respondents not to evict the petitioner from the land which situates in Survey No.97/6 by way of issuing a Writ of Mandamus.



2.It is averred in the petition that the petitioner is a resident of Kalanikottai village, Peravurani Taluk, Thanjavur District and she has been given assignment in respect of Survey No.97/6. Further it is averred in the petition that some Government officials have visited twice to the lands mentioned in the petition. Under the said circumstances, the petitioner is having apprehension of eviction and therefore, the present Writ Petition has been filed.

3.The learned counsel appearing for the petitioner has advanced his argument on the basis of the averments made in the petition.

4.The learned Additional Government Pleader appearing for the respondents has contended to the effect that the survey number mentioned in the petition is the patta land of the petitioner and so far no attempt has been made to evict her from Survey No.97/6.

5.The learned counsel appearing for the petitioner has also contended to the effect that a representation has been given.

6.It is seen from the records that no attempt has been made on the side of the respondents to evict the petitioner from Survey No.97/6. Therefore, it is quite clear that for filing the present Writ Petition, no cause of action has arisen. Since no cause of action has arisen for filing the Writ Petition, the same is not legally maintainable.

7.In fine, this Writ Petition is dismissed without cost.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

mj

To

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The District Revenue Officer,
Thanjavur District,
Thanjavur.

<https://hcservice.in/hcservice/>
3.The Regional Divisional Officer,
Pattukottai,
Thanjavur District.



4.The Tahsildar,
Peravurani Taluk,
Thanjavur District.

+1cc to Mr.D.R.MURUGESAN,Advocate Sr.No. 6191

+1cc to Spl.Government Pleader Sr.No. 6289

JAM/07.02.17/RSK/SAR 2/3P-7C

W.P (MD) No.666 of 2017
03.02.2017