



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2017

CORAM:

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

W.P.[MD].No.14891 of 2013
and
M.P. (MD) No.1 of 2013

L.Neelamegavarnam

: Petitioner

Vs.

1. The District Collector,
Tuticorin District,
Tuticorin-628 101.
2. The Tahsildar,
Sathankulam Taluk,
Sathankulam.
3. The Block Development Officer,
Sathankulam Taluk, Sathankulam.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, by forbearing the third respondent from putting up any constructions either of permanent or temporary constructions in the communal land bearing Survey No.879/3 in Padugapattu Village in Sathankulam Taluk, Tuticorin District, so as to affect the nature of the grazing or pound poramboke land, in any manner.

For Petitioner : Mr.S.Subbiah
For Respondents : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader

O R D E R

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

The construction stated to have been made by the third respondent in respect of a poramboke land made the petitioner to file this Writ Petition.

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

2. It is not the case of the petitioner that the construction was made by the third respondent in his personal capacity. It was a



construction made for the Block Development Office. We are, therefore, of the view that no Mandamus could be issued to the third respondent either to remove the construction or to restrain him from putting up a building for the Block Development Office or any other Government Office. It is always open to the petitioner to approach the Civil Court, in case any of his easement right is affected by such construction.

3. The Writ Petition is disposed of with the above observation. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Tuticorin District,
Tuticorin-628 101.
2. The Tahsildar,
Sathankulam Taluk,
Sathankulam.
3. The Block Development Officer,
Sathankulam Taluk, Sathankulam.

+ 1 CC TO Mr.N.SUBRAMANIAN, ADVOCATE IN SR No. 64165
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 64452

SML/MYR
TE/JC/SAR-II : 19/07/2017 : 2P/6C

Order made in
W.P.[MD].No.14891 of 2013 and
M.P.(MD)No.1 of 2013
Dated:06.07.2017