

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2018

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.9960 of 2006 and
W.P.M.P.Nos.11214 & 2055 of 2006 & 565 of 2011

S.N.S. Nallathambi

.. Petitioner

Vs.

1. The District Collector, Erode.

2. The Executive Engineer
Public Works Department, Erode.

3. The State of Tamil Nadu
represented by the Secretary
to the Government,
Fort St. George,
Madras.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the first respondent collector not to transfer the trust property of old Survey No.454/A corresponding to 437/3 in Muthur Village, Kankeyam Taluk, Erode District in favour of third parties.

For Petitioner : Mr.V.Raghavachari

For Respondents: Mr.E.Manoharan
Additional Government Pleader

O R D E R

The relief sought for in this Writ Petition is for a direction to direct the first respondent collector not to transfer the trust property of old Survey No.454/A corresponding to 437/3 in Muthur Village, Kankeyam Taluk, Erode District in favour of third parties.

2. The learned Additional Government Pleader appearing on behalf of the respondents, brought to the notice of this Court, that the property was already gifted to the Government and thereafter, it was allotted to the Public Works Department and even now, the Public Works Department is functioning in the said property.

3. However, the learned Additional Government Pleader made a submission that, now the property is with the possession of the Government. The properties already gifted in favour of the Government, shall not be transferred to any other third parties other than the Government Organizations.

4. In this view of the matter, no further adjudication needs to be entertained in respect of the relief as such sought for and the first respondent has not taken any steps to transfer the property in favour of the third parties.

5. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

msm

To

1. The District Collector, Erode.
2. The Executive Engineer
Public Works Department, Erode.
3. The State of Tamil Nadu
represented by the Secretary to the Government,
Fort St. George,
Madras.

- + 1 cc to Mr. V. Raghavachari, Advocate Sr.3949
+ 1 cc to Mrs. Muthumani, Advcoate SR.3787
+ 1 cc to Mr. Government Pleader SR.4824

W.P.No.9960 of 2006

AK (CO)
EU (26/03/2018)