



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

AND

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P (MD) NO.1993 OF 2019

Karuppiah

:Petitioner

.vs.

1.The District Collector,
Karur District,
Karur.

2.The District Revenue Officer,
Karur District,
Karur.

3.The Tahsildar,
Kadavur Taluk,
Karur District.

4.M.Mani

5.M.Senthil

6.Pitchaiammal

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of the first respondent dated 31.7.2018 in Na.Ka.A1/17295/2017 and quash the same and consequently direct the respondents 1 to 3 to remove the encroachment made by the respondents 4 to 6.

For Petitioner

:Mr.P.Arun Jayatram

For Respondents
1 to 3

:Mr.VR.Shanmuganathan
Special. Govt.Pleader

O R D E R

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

This Writ Petition is filed challenging the order of the first respondent, dated 31.07.2018 with the consequential relief for a direction to the respondents 1 to 3 to remove the encroachment made by the respondents 4 to 6 in respect of the subject-matter lands.



2. Heard the learned counsel for the Petitioner and the learned Special Government Pleader appearing for the respondents 1 to 3. As we are not inclined to entertain the Writ Petition based on the facts and circumstances of the case, this Writ Petition is disposed of, without issuing notice to the respondents 4 to 6.

WEB COPY

3. According to the Petitioner, respondents 4 to 6 have encroached upon the subject-matter lands and therefore, they have to be removed from the same. By contending so, the Petitioner made representation, which was enquired into by the District Collector and thereafter, an order came to be passed on 31.07.2018, which is impugned in this Writ Petition. The District Collector, after considering all the material facts and circumstances and perusing the documents referable to the subject-matter lands, found that the subject-matter lands in the hands of the respondents 4 to 6 are the patta lands and therefore, there is no encroachment made by the respondents 4 to 6, as alleged by the Petitioner. When the District Collector, based on the documents, found that the subject-matter lands are patta lands, the Petitioner is not entitled to contend otherwise, in the absence of any other contra materials. If at all, the Petitioner has any grievance against the grant of patta in favour of the respondents 4 to 6, the remedy lies elsewhere and not by filing the present Writ Petition.

4. Accordingly, we find no merit in the Writ Petition and hence the same is dismissed. No costs.

Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The District Collector,
Karur District, Karur.

2. The District Revenue Officer,
Karur District, Karur.

3. The Tahsildar,
Kadavur Taluk,
Karur District.

+1 CC to SPL GP SR-66714.

W.P (MD) No. 1993 of 2019
03.06.2019