



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) Nos. 4631, 4632, 4633, 4634, 4635, 4636, 4637, 4638, 4639, 4640, 4641, 4642 and 4643 of 2019

A.R.MUTHUKRISHNAN	... Petitioner in WP(MD). 4631/ 2019
R.KRISHNAN	... Petitioner in WP(MD). 4632/ 2019
K.PONNUSAMY	... Petitioner in WP(MD). 4633/ 2019
B.JEGANATHAN	... Petitioner in WP(MD). 4634/ 2019
BANUMATHI	... Petitioner in WP(MD). 4635/ 2019
R.KUMARAN	... Petitioner in WP(MD). 4636/ 2019
K.MANJULA	... Petitioner in WP(MD). 4637/ 2019
V.LALITHA	... Petitioner in WP(MD). 4638/ 2019
R.KAMATCHIAMMAL	... Petitioner in WP(MD). 4639/ 2019
S.N.KRISHNAN	... Petitioner in WP(MD). 4640/ 2019
R.B.JANITHA	... Petitioner in WP(MD). 4641/ 2019
R.KARPOORAVALLI	... Petitioner in WP(MD). 4642/ 2019
R.SATHISHKUMAR	... Petitioner in WP(MD). 4643/ 2019

Vs

1.THE SECRETARY

GOVERNMENT OF TAMIL NADU,
DEPARTMENT OF REVENUE AND DISASTER
MANAGEMENT, SECRETARIAT, FORT ST.GEORGE,
CHENNAI-9.

2.THE DISTRICT COLLECTOR,

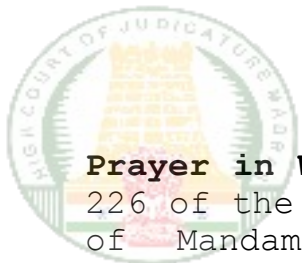
MADURAI COLLECTORATE, MADURAI-20.

3.THE REGIONAL CHIEF ENGINEER,

WATER RESOURCES ORGANISATION,
THALLAKULAM, MADURAI-2.

4.THE COMMISSIONER,

MADURAI CORPORATION,
ANNA MAALIGAI, MADURAI.



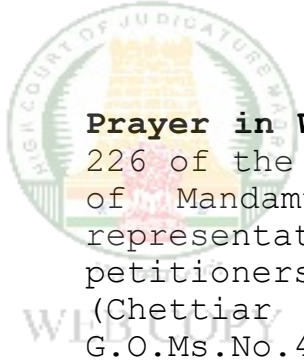
Prayer in WP(MD). 4631/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus, directing the 2nd respondent to consider the representation dated 11.01.2019 for assigning patta for the petitioners house site at D.No.29/5G/5, Venkatapathi Iyengar Street, (Chettiar Compound), Kamarajar Salai, Madurai - 625 009, as per G.O.Ms.No.465 dated 27.11.2018 within a stipulated time as fixed by this Honble Court and the petitioner shall pay the cost of land assigned as per the direction by the 2nd Respondent.

Prayer in WP(MD). 4632/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus, directing the 2nd respondent to consider the representation dated 11.01.2019 for assigning patta for the petitioners house site at 15/1C, Siddhu balakrishnayyar lane, (Chettiar Compound), Kamarajar Salai, Madurai - 625 009, as per G.O.Ms.No.465 dated 27.11.2018 within a stipulated time as fixed by this Honble Court and the petitioner shall pay the cost of land assigned as per the direction by the 2nd Respondent.

Prayer in WP(MD). 4633/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus, directing the 2nd respondent to consider the representation dated 11.01.2019 for assigning patta for the petitioners house site at Old No. 29/5 & New.No.29/5G2, Venkatapathi Iyengar Street, (Chettiar Compound), Kamarajar Salai, Madurai - 625 009, as per G.O.Ms.No.465 dated 27.11.2018 within a stipulated time as fixed by this Honble Court and the petitioner shall pay the cost of land assigned as per the direction by the 2nd Respondent.

Prayer in WP(MD). 4634/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus, directing the 2nd respondent to consider the representation dated 11.01.2019 for assigning patta for the petitioners house site at D.No.29/5B/9, New No.29/5G/9 Venkatapathi Iyengar Street, (Chettiar Compound), Kamarajar Salai, Madurai - 625 009, as per G.O.Ms.No.465 dated 27.11.2018 within a stipulated time as fixed by this Honble Court and the petitioner shall pay the cost of land assigned as per the direction by the 2nd Respondent.

Prayer in WP(MD). 4635/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus, directing the 2nd respondent to consider the representation dated 11.01.2019 for assigning patta for the petitioners house site at O.NO. 29/5 & N.No.29/5/93, Venkatapathi Iyengar Road, (Chettiar Compound), Kamarajar Salai, Madurai - 625 009, as per G.O.Ms.No.465 dated 27.11.2018 within a stipulated time as fixed by this Honble Court and the petitioner shall pay the cost of land assigned as per the direction by the 2nd Respondent.



Prayer in WP(MD). 4636/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus, directing the 2nd respondent to consider the representation dated 11.01.2019 for assigning patta for the petitioners house site at 15/1B, Siddhu Balakrishnayyar Lane, (Chettiar Compound), Kamarajar Salai, Madurai - 625 009, as per G.O.Ms.No.465 dated 27.11.2018 within a stipulated time as fixed by this Honble Court and the petitioner shall pay the cost of land assigned as per the direction by the 2nd Respondent.

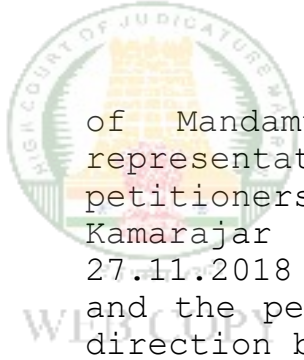
Prayer in WP(MD). 4637/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus, directing the 2nd respondent to consider the representation dated 11.01.2019 for assigning patta for the petitioners house site at 15/1F, Venkatapathi Iyengar Street, (Chettiar Compound), Kamarajar Salai, Madurai - 625 009, as per G.O.Ms.No.465 dated 27.11.2018 within a stipulated time as fixed by this Honble Court and the petitioner shall pay the cost of land assigned as per the direction by the 2nd Respondent.

Prayer in WP(MD). 4638/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus, directing the 2nd respondent to consider the representation dated 11.01.2019 for assigning patta for the petitioners house site at 29/5G, Venkatapathi Iyengar Road, (Chettiar Compound), Kamarajar Salai, Madurai - 625 009, as per G.O.Ms.No.465 dated 27.11.2018 within a stipulated time as fixed by this Honble Court and the petitioner shall pay the cost of land assigned as per the direction by the 2nd Respondent.

Prayer in WP(MD). 4639/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus, directing the 2nd respondent to consider the representation dated 11.01.2019 for assigning patta for the petitioners house site at Old No. 29/5 & New.No.15/1E, Venkatapathi Iyengar Street, (Chettiar Compound), Kamarajar Salai, Madurai - 625 009, as per G.O.Ms.No.465 dated 27.11.2018 within a stipulated time as fixed by this Honble Court and the petitioner shall pay the cost of land assigned as per the direction by the 2nd Respondent.

Prayer in WP(MD). 4640/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus, directing the 2nd respondent to consider the representation dated 11.01.2019 for assigning patta for the petitioners house site at 10-5G2, Venkatapathi Iyengar Road, (Chettiar Compound), Kamarajar Salai, Madurai - 625 009, as per G.O.Ms.No.465 dated 27.11.2018 within a stipulated time as fixed by this Honble Court and the petitioner shall pay the cost of land assigned as per the direction by the 2nd Respondent.

Prayer in WP(MD). 4641/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ



of Mandamus, directing the 2nd respondent to consider the representation dated 11.01.2019 for assigning patta for the petitioners house site at 5/B, Navarathinapuram 2nd street, Kamarajar Salai, Madurai - 625 009, as per G.O.Ms.No.465 dated 27.11.2018 within a stipulated time as fixed by this Honble Court and the petitioner shall pay the cost of land assigned as per the direction by the 2nd Respondent.

Prayer in WP(MD). 4642/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus, directing the 2nd respondent to consider the representation dated 11.01.2019 for assigning patta for the petitioners house site at 29/5G7, Venkatapathi Iyengar Road (Chettiar Compound), Kamarajar Salai, Madurai - 625 009, as per G.O.Ms.No.465 dated 27.11.2018 within a stipulated time as fixed by this Honble Court and the petitioner shall pay the cost of land assigned as per the direction by the 2nd Respondent.

Prayer in WP(MD). 4643/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus, directing the 2nd respondent to consider the representation dated 11.01.2019 for assigning patta for the petitioners house site at D.No.15/1B, Siddhu Balakrishna Iyer Lane, Kamarajar Salai, Madurai - 625 009, as per G.O.Ms.No.465 dated 27.11.2018 within a stipulated time as fixed by this Honble Court and the petitioner shall pay the cost of land assigned as per the direction by the 2nd Respondent.

For Petitioner : Mr.M.S.Sureshkumar

For R2 : Mr.M.Karuppasamy
Government Advocate

For R4 : Mr.S.Chellapandian

For R1,3,5 : Dispensed with (in all WP's)

COMMON ORDER

Heard the learned counsel on either side.

2.The learned counsel for the petitioners point out that even though they have already been given assignment of small extent of land, they are in possession of the petition mentioned portions also for a very long number of years and that therefore, they are entitled to issuance of patta in terms of G.O.Ms.No.465, Department of Revenue and Disaster Management, dated 27.11.2018.



3.The learned Government Advocate as well as the standing counsel for the Corporation would point out that the petitioners are virtually asking for patta in respect of the area that forms part of Vaigai river. It is made clear that no part of Vaigai river will be parcelled out and patta granted in favour of private individuals. The width of the river will have to be maintained as such. If the area on which the petitioners are making claim is not part of the Vaigai river, then it is open to the second respondent to consider their cases.

4.The petition mentioned representations shall be disposed of on merits and in accordance with law by the second respondent herein within a period of sixteen weeks from the date of receipt of a copy of this order.

5.These Writ Petitions are disposed of accordingly. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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To

- 1.THE DISTRICT COLLECTOR,
MADURAI COLLECTORATE, MADURAI-20.
- 2.THE SECRETARY
GOVERNMENT OF TAMIL NADU,
DEPARTMENT OF REVENUE AND DISASTER
MANAGEMENT, SECRETARIAT, FORT ST.GEORGE,
CHENNAI-9.
- 3.THE REGIONAL CHIEF ENGINEER,
WATER RESOURCES ORGANISATION,
THALLAKULAM, MADURAI-2.
- 4.THE COMMISSIONER,
MADURAI CORPORATION,
ANNA MAALIGAI, MADURAI.
- 5.THE TAHSILDAR,
<https://hcservices.ecourts.gov.in/hcservices/>
MADURAI, SOUTH, MADURAI-20.



1CC TO MR. M.S.SURESHKUMAR, ADVOCATE SR 63683

1CC TO MR. S.CHELLAPANDIAN, ADVOCATE SR 63950

1CC TO THE SPL GOVT PLEADER SR 64712

KK

24/05/2019

6C/9C

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