

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.11701 of 2020

C.Thangavel

... Petitioner

vs

1. The District Collector,
Salem District Collector Office,
Salem - 636 001.
 2. The District Revenue Officer,
Salem District Collector Office,
Salem - 636 001.
 3. The Tahsildar,
Salem South Taluk Office,
74/199, Maniyanoor,
Salem - 636 010.
 4. The Firka Revenue Inspector,
Vembadithalam Firka Revenue Inspector office,
Salem - 637 504
 5. The Village Administrative Officer,
Kalparapatti Village Administrative Officer,
Salem South Taluk,
Salem - 637 504.
- ... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus to direct the 1st respondent to take necessary action on the petitioner's representation dated 23.05.2020 to save agriculture including his family livelihood.

For Petitioner : Mr.A.Rameshmanikandan
For Respondents : Mr.M.D.Ilayaraja
Government Advocate

O R D E R

This matter is taken up for hearing through Video Conferencing mode.

2. Mr.MD.Ilayaraja, learned Government Advocate takes notice for the respondents.

3. This Writ Petition is filed for a Mandamus to direct the 1st respondent to take necessary action on the petitioner's representation dated 23.05.2020 to save agriculture including his family livelihood.

4. Heard both sides.

5. Admittedly, the petitioner is in occupation of Government promboke land, which is the subject matter of his representation. According to the petitioner, since he is in occupation of the said land for several years and cultivating the same, his interest in cultivating the land has to be protected so as to save the agriculture of this country. It is also admitted in the affidavit filed in support of the writ petition that there is a proposal by the Government to put up a hostel for the Government Law College in the said land.

6. First of all, it is admitted that the petitioner is in occupation of the Government promboke land and therefore, he has no right to remain in the said property forever without being disturbed by the officials in the manner known to law. Secondly, the admitted fact is that the said property is sought to be taken for constructing a hostel for the new Government Law College. Therefore, the petitioner indirectly cannot seek protection from dispossession of the property by making the above representation. Needless to say that if the petitioner is to be dispossessed from the subject matter property, the same has to be done only in accordance with law.

7. The learned Government Advocate submitted that the officials would follow the due process of law for evicting the petitioner.

8. By recording the above said statement, this Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar (Cs III)

//True Copy//

Sub Assistant Registrar

vri/vsi

To

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SV co
A.SK(06/10/2020)



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