



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.34463 of 2018
and
WMP No.40028 of 2018

1.R.Subbaiya
2.Mayilsamy
3.R.Radhamani
4.S.Inpasekaran
5.S.Saminathan
6.Devasagayam
7.R.Ayyasamy
8.S.Anburatham
9.Saraswathi
10.Chenniyammal
11.N.Selvam
12.S.Raju
13.Sridevi
14.Ganesan

... Petitioners

.v.

1.The District Collector,
Coimbatore District,
Coimbatore.

2.The Tahsildar,
North Tahsildar Office,
North Coimbatore,
Coimbatore District.

3.Assistant Executive Engineer,
Slum Clearance Board,
Near Sivalaya Theatre,
Selvapuram North,
Coimbatore 641026.

... Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 & 2 to issue pattas to the petitioners' houses situated at ward N.53, Rayar Nagar, Sidhapudur, Avarampalayam, Coimbatore, in considering the representation dated 24.10.2018 with the time frame fixed by this Hon'ble Court.



WEB COPY

For Petitioners : Mr.S.Rajanikanth

For R 1 & R 2 : Mr.A.Aruldoss
Government Advocate

For R 3 : Mrs.Latha

O R D E R

This writ petition has been filed seeking for a direction to the respondents to issue Patta to the petitioners.

2.The specific case of the petitioners is that they have put constructions in a Odai Poramboke and they have been living there for a long time and therefore the petitioners are seeking for Patta.

3.Heard Mr.S.Rajanikanth, learned counsel appearing for the petitioners and Mr.A.Aruldoss, learned Government Advocate appearing for respondents 1 & 2 and Mrs.Latha, learned counsel appearing on behalf of the 3rd respondent.

4.In the considered view of this Court, the relief sought for by the petitioners is unsustainable. Odai Poramboke is a water body and no constructions can be made over such water bodies. The petitioners do not have any right to seek for a Patta more particularly since the property in question is categorised as a Odai Poramboke. In fact, the authorities are taking effective steps to remove all the encroachments from Odai Poramboke. There are absolutely no merits in this writ petition and accordingly the same is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

KP

To

1. The District Collector,
Coimbatore District,
Coimbatore.



2. The Tahsildar,
North Tahsildar Office,
North Coimbatore,
Coimbatore District.

WEB COPY

3. Assistant Executive Engineer,
Slum Clearance Board,
Near Sivalaya Theatre,
Selvapuram North,
Coimbatore 641026.

W.P.No.34463 of 2018

SSV(CO)
RMP(13/07/2020)