



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2020

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

W.P. (MD)No.8141 of 2020

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Ramakrishnan

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District, Virudhunagar.

2.The District Revenue Officer,
Collectorate Campus,
Virudhunagar District,
Virudhunagar.

3.The Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.

4.The Tahsildar,
Tiruchuli Taluk,
Virudhunagar District.

5.The Block Development Officer,
Narikudi Panchayat Union,
Virudhunagar District.

6.The President,
Velaneri Village Panchayat,
Tiruchuli Taluk,
Virudhunagar District.

7.C.Balakrishnan

8.M.Karuppaiah

9.K.Rakkammal

10.G.Latha

11.M.Muniyandi

12.M.Gopal

13.M.Selvi

14.M.Ramayee

15.M.Malairaj

16.S.Muniyandi

17.M.Muthulakshmi

18.M.Pothumponnu

19.S.Muniyamma

20.Sankarsasi

<https://hcservices.ecourts.gov.in/hcservices/>



21.Sangeetha
22.Govindharaj
23.Murugan
24.Gandhiyammal

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 4 to cancel the house site pattas issued in favour of respondents 8 to 24 in respect of Grama Natham Land in S.No.253/8, 253/18, 253/19, 253/20, 253/21, 253/22, 253/23, 253/25, 253/26, 253/27, 253/28, 253/29, 253/30, 253/31, 253/32, 253/34, 253/35, 253/7PT, admeasuring about 80 cents of Velaneri Village, Tiruchuli Taluk, Virudhunagar District as they are unjust and illegal and consequently direct the respondents 1 to 4 to retrieve the said land and put to public utility forthwith, after removing illegal occupancy within the time stipulated by this Court.

For Petitioner : Mr.S.Balamurugan

For Respondents : Mr.R.Murugan
Additional Government Pleader
for R.1 to R.4

: Mr.Pandiyarajan
for R.5 and R.6

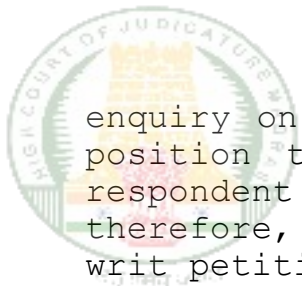
ORDER

(Order of the Court was made by **M. SATHYANARAYANAN, J.**)

The petitioner, who claims to be a public interest litigant would state that the land in Survey No.253 (Old S.No.145) of Velaneri Village, admeasuring to an extent of 80 cents, is classified as "Grama Natham" as per revenue records and a portion of the said land is used by the local villagers as "Kalam" (thrashing field) and the remaining lands are utilised by the villagers as playground and also for communal purposes.

2. A primordial grievance expressed by the petitioner is that in respect of vast extent of lands which are classified as "Grama Natham", pattas have been granted in favour of members belonging to same family and also pointed out that the private respondents were accorded with such a benevolence and therefore, submitted representations in this regard for cancellation of pattas and use of the land for public purpose.

3. The learned Counsel appearing for the petitioner would submit that the offices of the third respondent as well as the first respondent, vide memo dated 08.06.2020, 20.06.2020 and 09.06.2020 respectively, directed the fourth respondent to cause appropriate



enquiry on the petition submitted by the petitioner and inform the position to the petitioner as well as the office of the first respondent and despite that, nothing is coming forward and therefore, the petitioner has approached this Court by filing this writ petition.

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4. Mr.R.Murugan, learned Additional Government Pleader appearing for the respondents 1 to 4 would submit that the issue is going on from the year 1998 and in the light of the directions given, the fourth respondent would definitely do the needful.

5. This Court carefully considered the rival submissions and perused the materials placed before this Court.

6. The office of the third respondent, vide communication dated 08.06.2020 and 20.06.2020 in Na.Ka.A3/2911/2020 and in Na.Ka.A3/3012/2020, had directed the fourth respondent to look into the matter and do the needful and similarly the office of the first respondent, vide memo dated 09.06.2020 in O.Mu.G4/11427/2020, has also directed the fourth respondent to do needful. In the light of the same, this Court is not in a position to issue any positive direction as sought for by the petitioner.

7. The fourth respondent, in the light of the said memos issued by the superior Officers, shall look into the matter and cause enquiry, as to the allegations with regard to grant of pattas in favour of the private respondents, after putting notice on the private respondents as well as other concerned persons and take appropriate action in accordance with law and communicate the decision taken to the petitioner, the respondents 1, 3, 4 and 5 as well as to the private respondents. The fourth respondent, without being influenced by any of the observations made in this order, shall make every endeavour and complete the enquiry as expeditiously as possible, not later than twelve weeks from the date of receipt of a copy of this order.

8. The Writ Petition stands disposed of accordingly. No costs. Consequently, the connected Writ Miscellaneous Petition is closed.

Sd/-

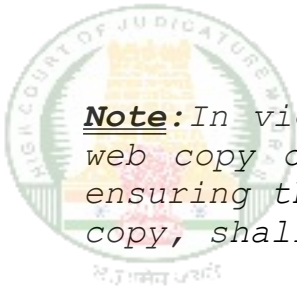
Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

SSL



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned

To

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SPU(12.08.2020) 4P 7C