



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.24752 of 2021

and

W.M.P.No. 26031 of 2021

Dr.Ambedkar Padipagam
and Podhu Nala Seva Sangam,
Reg.No.3/2021
rep. by its President R.Kalai Babu
No.2/68, 1st Street, Bharathidasan Nagar,
Chennai - 600 099.

...Petitioner

Vs

1. The Secretary to Government,
Tamil Nadu Veterinary and Animal Husbandry,
Fort St. George, Chennai - 600 009.

2. The Secretary to Government of Tamil Nadu,
Revenue Department,
Fort St. George, Chennai - 600 009.

3. The Medical Officer,
Veterinary and Animal Husbandry Department,
Surapet, Chennai - 600 099.

4. The District Collector,
Thiruvallur District.

5. The Tahsildar,
Ambattur,
Tiruvallur District.

....Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent particularly the Medical Officer, Veterinary and Animal Husbandry Department, Surapet Village, Ambattur Taluk, District Collector, Thiruvallur District and the Tahsildar, Ambattur Taluk, Thiruvallur District from converting the land in survey No.115/2A1/B, Brindavana



Nagar, Surapet Village, Ambattur Taluk, for putting up any construction and structures for the proposed Veterinary and Animal Husbandry Department in Surapet Village, Ambattur Taluk without the formal assignment of land by the Government for that purpose and consequently direct the 1st respondent to defer the further action of approving any scheme for the proposal Veterinary and Animal Husbandry Hospital in the above place.

For Petitioner : Mr.K.Balakrishnan
For Respondents : Mr.A.Selvendran
Special Government Pleader.

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents 3 to 5 from converting the land comprised in survey No.115/2A1/B situated at Brindavana Nagar, Surapet Village, Ambattur Taluk, for putting up any construction and structures for the proposed Veterinary and Animal Husbandry Department in Surapet Village, Ambattur Taluk without the formal assignment of land by the Government for that purpose and consequently direct the first respondent to defer the further action of approving any scheme for the proposal Veterinary and Animal Husbandry Hospital in the above place.

2. Heard, Mr.K.Balakrishnan, learned counsel appearing for the petitioner and Mr.A.Selvendran, learned Special Government Pleader appearing for the respondents.

3. The case of the petitioner is that the property comprised in survey No.115/2A1/B situated at Brindavana Nagar, Surapet Village, Ambattur Taluk, Thiruvallur District purchased by the petitioner from 45 persons, who were in possession and enjoyment of the same to an extent of 19570 sq.ft. Admittedly, the said property was classified as 'Government Poromboke' land.

4. A perusal of the deed executed by 45 persons reveals that they have no possessory title or any right over the property. Simply, 45 persons, that too without even mentioning any address, executed an unregistered sale deed in respect of the subject property in favour of the petitioner/ Association.

5. A perusal of the photographs produced by the petitioner also reveals that the subject land is a vacant site classified as 'Government Poromboke'. Now the apprehension of the petitioner is that the first and second respondents have decided to construct a Veterinary Hospital on the request of the



third respondent and they took steps to measure the said property, it was questioned by the petitioner/Association that they objected the building materials dumped by them. However, the request was not considered and as such, the petitioner/Association made request not to disturb their possession and enjoyment of the same. The petitioner has no title or right over the property and also not in possession of the subject property. Therefore, the petitioner has no locus to question the proposed construction to be put up by the respondents. Hence, the Writ Petition is devoid of merits.

6. In the result, the writ petition stands dismissed. Consequently, connected miscellaneous petition is closed. No order as to costs.

s/d-
Assistant Registrar

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Sub-Assistant Registrar

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To

1. The Secretary to Government,
Tamil Nadu Veterinary and Animal Husbandry,
Fort St. George, Chennai - 600 009.

2. The Secretary to Government of Tamil Nadu,
Revenue Department,
Fort St. George, Chennai - 600 009.

3. The Medical Officer,
Veterinary and Animal Husbandry Department,
Surapet, Chennai - 600 099.

4. The District Collector,
Thiruvallur District.

5. The Tahsildar,
Ambattur,
Tiruvallur District.
+1 CC to Mr.K.Balakrishnan, Advocate sr 59555
+1 CC to The Government Pleader sr 60263.

W.P.No.24752 of 2021

RSI (CO)
SP(21/12/2021)