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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2021

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.26128 of 2021

G.Vignesh

..Petitioner

vs

1. The Secretary
Government of Tamil Nadu
Revenue Department
Chennai 600 006, Tamil Nadu.
2. The Additional Chief Secretary/
Commissioner for Land Administration
Chepauk, Chennai 5
Tamil Nadu.
3. The District Collector
Chengalpet District
Tamil Nadu.
4. The Tahsildar
Vandalur Taluk
Kancheepuram District
Tamil Nadu.
5. The Sub Registrar
Office of the Sub Registrar
Thiruporur.
6. The Asst. Commissioner of Land Reforms
Chepauk, Chennai
Tamil Nadu.

..Respondents

Prayer: Petition filed under Article 226 of The Constitution of India praying for a Writ of Declaration declaring the proceeding in RC.K1/ 26136/2019 dated 11.12.2019 issued by the second respondent as null and void and contrary to Article 300A of



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Constitution of India and consequently direct the respondents to allow the further encumbrance of the properties and issuing patta in accordance with due process of law.

For the Petitioner : Mr.G.Murugendran

For the Respondents : Mr.C.Harsha Raj
Addl. Govt. Pleader

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

Mr.C.Harsha Raj, learned Additional Government Pleader, accepts notice for the respondents.

2. The public interest litigation has been filed to challenge the order dated 11.12.2019 being violative of Article 300A of The Constitution of India.

3. The petitioner is claiming title over the property in question and rights under Article 300A of The Constitution of India.

4. We do not find any document to show the title in favour of the petitioner in respect of the land in question, so as to secure his rights under Article 300A of The Constitution of India.

5. The learned counsel for the petitioner submits that by virtue of the order impugned herein, the petitioner would be refrained to claim or obtain patta for the land in question, though, at the first instance, it was stated that the petitioner was granted patta.

6. However, no document has been enclosed along with this writ petition to support the aforesaid stand. The statement is otherwise in contradiction, because, at the first instance, the petitioner stated that patta has been granted in his favour and thereafter, he challenged the impugned order stating that he would be refrained to obtain patta. The contradictory statement by one and the same person cannot be accepted. Rather, we cannot repose confidence in those statements.

7. It is a fact that the public interest litigation has been filed to espouse the individual cause of the petitioner for protection of land and it may be for others also. A public interest litigation is not maintainable for a personal cause and accordingly, we find it to be a private interest litigation.



8. In the light of the above, the writ petition is held to be not maintainable. Further, the petitioner has failed to show title in his favour in respect of the land in question.

9. Therefore, the writ petition fails and is dismissed. There will be no order as to costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

RS

To:

1. The Secretary
Government of Tamil Nadu
Revenue Department
Chennai 600 006, Tamil Nadu.
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Thiruporur.
6. The Asst. Commissioner of Land Reforms
Chepauk, Chennai. Tamil Nadu.

+1cc to Mr.G.Murugendran, Advocate, S.R.No.65400

+1cc to the Government Pleader, S.R.No.65851

W.P.No.26128 of 2021

GPL[co]
NSK 14/12/2021