



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2021

CORAM :

**THE HON'BLE MR.SANJIB BANERJEE, THE CHIEF JUSTICE
AND**

The HON'BLE MR.JUSTICE T.S.SIVAGNANAM

W.P. (MD) No.1207 of 2020

and

WMP(MD)No.971 of 2020

S.Subramani

... Petitioner

vs.

1)The Special Commissioner and
Commissioner of Land Administration,
Chepauk, Chennai.

2)The District Collector,
Theni District,
Theni.

3)The Sub Collector/Revenue Divisional Officer,
Periyakulam,
Theni District.

4)The Thasildhar,
Andipatti Taluk Office,
Andipatti, Theni District.

5)The Village Administrative Officer,
Mayiladumparai Village,
Andipatti Taluk,
Theni District.

6)The Assistant Engineer,
Public Works Department,
Water Resources Organization,
Irrigation Section,
Andipatti,
Theni District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned eviction notice dated 07.09.2019 issued by 6th respondent and the proceedings of the 4th respondent vide Na.Ka.No.8028/2019/Aa3, dated 25.11.2019 and quash the same and consequently direct the respondents to reclassify the



land bearing S.No.436/1 of Sengulam Village, Andipatti Taluk and grant patta in the light of the representation dated 02.10.2019.

For Petitioner : Mr.R.Venkateswaran
For Respondents : Mr.A.K.Manikkam,
Standing Counsel

WEB COPY

ORDER

[Order of the Court was made by
T.S.SIVAGNANAM, J.]

This writ petition is filed challenging the order passed by the 4th respondent Tahsildar, Andipatti. The petitioner earlier came before this Court claiming that he was granted patta. The said W.P (MD)No.21152 of 2019 was disposed of by order dated 03.10.2019 by directing enquiry to be conducted by the Tahsildar pursuant to which, the Tahsildar has taken up the matter, conducted the enquiry and passed the impugned order.

2.Though the petitioner claims that he is entitled for Ryotwari patta, such a plea is thoroughly misconceived as it cannot be raised at this distance of time, especially, when the cut off date for making such a claim for grant of patta expired on 30.06.1975. The Tahsildar noted that after a period of 50 years after the land in question has been classified as waterbody called as Sengulam Kanmai, the present attempt of the petitioner is not sustainable.

3.We find there is no error in the order passed by the Tahsildar or any error in the decision-making process.

4.Accordingly, this Writ Petition fails and is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

bala/tsg

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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Andipatti,
Theni District.

+1 CC to M/s.GP (SR-24964[F] dated 02/08/2021)

+1 CC to M/s.R.VENKATESWARAN, Advocate (SR-25126[F] dated
03/08/2021)

W.P.(MD) No.1207 of 2021
Dated : 30.07.2021

SJ(CO)
LR (06.08.2021) 3P 9C