



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 17.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE **V.PARTHIBAN**

W.P. (MD)No.2991 of 2021

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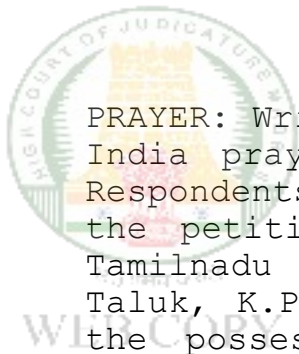
Muthaiya

... Petitioner

- Vs -

- 1.The State of Tamil Nadu represented by
The Principal Secretary of Tamil Nadu,
Revenue Department,
Secretariat,
Chennai District.
- 2.The Special Commissioner and Commissioner,
Commissioner of Land Administration Department,
Chepauk, Chennai.
- 3.The District Collector,
Madurai District,
Madurai.
- 4.The District Revenue Officer,
Madurai District,
Madurai.
- 5.The Revenue Divisional Officer,
Madurai District,
Madurai.
- 6.The Tahsildar,
Thirumangalam,
Madurai District.
- 7.The Taluk Head Surveyor,
Taluk Office,
Thirumangalam,
Madurai District.
- 8.The Special Officer,
Maiyur Gudappakkam,
Cooperative Land Colonization,
Society for Servicemen Ex.S.15,
(Established in 1946),
Pudhuchathiram Post, Gudappakkam,
Chennai District.
- 9.The Assistant Director,
Ex-Servicemen Welfare Board,
Welfare Office, Madurai District.

... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the Respondents to take immediate action to measure the land allotted to the petitioner's wife by the Revenue Department - Government of Tamilnadu in Survey No.243 and Sub-division No.18 at Thirumangalam Taluk, K.Puliyagulam Village comprising 0.08.0 acres and hand over the possession of the land to the petitioner wife by marking boundaries, consequently direct the respondent to allot two acres of agricultural land to petitioner for the Ex-serviceman who rendered service to the Country as per the communication issued by respondent No.9 to respondent No.6 dated 14.06.2007 and provide patta in Survey No.243-13A at Thirumangalam Taluk, K.Puliyagulam Village, comprising 0.44.5 acres with marking measurement of the boundary subsequently direct the respondents to allot some other land for farming to the petitioner in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondent : Mr.M.Thilagar
Government Advocate

ORDER

This Writ Petition is filed by the husband seeking direction to measure the land allotted to his wife by the Revenue Department in Survey No.243 and Sub-division No.18 at Thirumangalam Taluk, K.Puliyagulam Village.

2.When the learned Counsel appearing for the petitioner was confronted with the basic question of *locus standi* of the petitioner to maintain this Writ Petition on behalf of his wife, there was no answer from the Counsel nor was any averment in the affidavit as to the *locus standi* of the petitioner to maintain this Writ Petition. No document or material is filed in support of maintaining the Writ Petition by the husband on behalf of his wife.

3.From the averments contained in the affidavit filed in support of the Writ Petition, it appears that the petitioner's wife has been allotted/assigned the lands and the petitioner wants that lands to be measured and demarcated and nowhere in the affidavit it is mentioned as to why he is before this Court with this Writ Petition on behalf of his wife and what happened to his wife who could not be a petitioner before this Court. In the absence of any averment or any material, for the husband to maintain this Writ Petition, this Court cannot recognise the petitioner as having any *locus standi* to maintain this Writ Petition.



4. Therefore, this Writ Petition stands dismissed on the ground of *locus standi* alone. No costs

Sd/-

Assistant Registrar (W)

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SRM

To

1. The Principal Secretary
State of Tamil Nadu
Revenue Department,
Secretariat, Chennai District.

2. The Special Commissioner and Commissioner,
Commissioner of Land Administration Department,
Chepauk, Chennai.

3. The District Collector,
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Madurai.

4. The District Revenue Officer,
Madurai District,
Madurai.

5. The Revenue Divisional Officer,
Madurai District,
Madurai.

6. The Tahsildar,
Thirumangalam,
Madurai District.

7. The Taluk Head Surveyor,
Taluk Office,
Thirumangalam,
Madurai District.

+1 CC to SPL GP (SR-5964[F] dated 18/02/2021)

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VB (02.03.2021) 3P 9C