



WEB COPY

W.P.(MD)No.5401 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.03.2021**

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

W.P. (MD) No.5401 of 2021

and

W.M.P. (MD) No.4313 of 2021

S.Kaliyammal

.. Petitioner

Vs

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Kalyarkovil Taluk,
Sivagangai District.

3.Muniyandi

4.M.Gandhimathi

5.M.Vijayakumar

.. Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 24.02.2021 not to issue free house site patta in favour of any of the 3rd to 5th respondents

pertaining to the Government Natham Poramboke land situated in S.No.477 situated at Naruputham Village, Kurunthai Village group, Kalayarkovil Taluk, Sivagangai District.

For Petitioner : Mr.V.Kannan

For R1 & R2 : Mr.B.Bhagavathi
Government Advocate



ORDER

This Writ Petition is filed not to issue free house site patta in favour of any of the private respondents, who are arrayed as parties herein.

2. When this Court confronted the learned counsel appearing for the petitioner as to the *locus standi* of the petitioner, the learned counsel was unable to explain as to the *locus standi* of the petitioner to maintain this writ petition, questioning any action by the official respondents while granting free house site patta to the private respondents herein. According to the petitioner, she has been living close to the Government Natham Poramboke Land and the respondents 3 to 5 herein have also been the residents of the same village, where the petitioner has been living.

3. It appears that the petitioner has some personal grievance as against the private respondents and in order to settle her personal scores, she has come up with the present writ petition seeking to prevent the authorities from passing any orders favouring the private respondents. The petitioner's so called objection is that the Government land has been encroached by the private respondents and therefore, they ought not to be conferred with free house site patta.

4. This Court is unable to appreciate the *locus standi* of the petitioner and also how could she question the action of the official respondents in granting any kind of favour to the private respondents. Such negative prayer cannot be granted by this Court on the basis of the self-serving averments and the prayer as projected in this writ petition is clearly motivated and intended to achieve a collateral purpose. The petitioner cannot invoke the constitutional jurisdiction of this Court for settling her personal grudge against the private respondents.

5. For the above said reasons, this Court is of the clear view that the writ petition is malicious and liable to be dismissed and hence, it stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



To

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Kalyarkovil Taluk,
Sivagangai District.

+1 CC to M/s.SPL GP (SR-10910[F] dated 12/03/2021)

W.P. (MD) No. 5401 of 2021

11.03.2021

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AK(26/02/2021) 3P 4C