



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2021

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD)No.17296 of 2020

and W.M.P. (MD) Nos.14479, 14480 and 16185 of 2020

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Vanathi

... Petitioner

Vs.

- 1.The Natham Settlement Officer (Special Tahsildar),
Natham Settlement,
Court Complex,
Pudukottai.
 - 2.The Tahsildar and Zonal Administrative Officer,
Opp. to Old Government Hospital,
Sathiyamoorthy Road,
Pudukottai.
 - 3.The Commissioner,
Municipality,
South 4th Street,
Pudukottai.
 - 4.The Revenue Divisional Officer,
Pudukottai.
 - 5.The District Collector,
Pudukottai.
 - 6.Sankar,
President,
Tamil Nadu Government Officials Basic Servants Society,
Pudukottai.
- ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent regarding conversion of the property in Block No.72 in T.S.No.5380/2 measuring an extent of 0.0681.0 sq. mt. at Pudukottai Town and District into ryotwari settlement and quash the same and consequently direct the 1st respondent to restore the property as natham in the revenue records.

For Petitioner : Mr.V.Singan

For Respondents 1, 2, 4 & 5 : Mr.J.Padmavathi Devi
Special Government Pleader

For Respondent No.3 : Mr.P.Mahendran
Standing Counsel



For Respondent No.6

: Mr.Karthikeya Venkatachalapathy

* * * * *

ORDER**(Order of the Court was made by M.M.SUNDRESH, J.)**

The petitioner has come forward to file this Writ Petition, challenging the conversation of the property into ryotwari settlement made by the Natham Settlement Officer with a consequential prayers to restore the property as natham in the revenue records.

2.The learned counsel appearing for the petitioner, by placing reliance on the certificate of the Tahsildar, Pudukottai, dated 24.12.2010, relating to the property in Block No.72 in T.S.No.5380/2, measuring an extent of 0.0681.0 square meter, submitted that the said land is a Natham land. Therefore, it is submitted that once it is declared as natham land, it cannot be used for other purposes. According to the petitioner, the same can be used as a playground for the nearby school.

3.Learned Counsel for respondent No.6 submitted that the said certificate is a bogus one. An order has been passed assigning the aforesaid land in favour Tamil Nadu Last Grade Government Servants Association, Pudukkottai in the year 1974 by way of G.O.Ms. No.3678, Revenue Department, dated 26.10.1974. In pursuant to the said order, respondent No.6 has put up a construction. Now, respondent No.6 is proposed to put up further construction in the said land. The petitioner is not residing in the address furnished in the Writ Petition and the litigation is perverse and vexatious. Therefore, the Writ Petition will have to be dismissed.

4.This Court also heard the submission of learned Special Government Pleader appearing for the respondent Nos.1, 2, 4 and 5 and the learned counsel appearing for Respondent No.6 on the above submissions.

5.We are of the view that this is not a Public Interest Litigation. There is a serious dispute over the document of the year 2010, indicating the land as natham land. Even assuming it as a natham land, the petitioner has not shown how it is used. The petitioner has not done any homework before filing the Writ Petition. The land in question has been assigned in favour of respondent No.6 way back in the year 1974. Without even knowing the above fact, the Writ Petition is filed. After allotment, respondent No.6 has put up construction. Further, the school in question has been compounded having a playground. What has been assigned in favour of the respondent No.6 is 18 cents. Thus, looking from any perspective, we do not find any reason to allow the Writ Petition, especially, when the petitioner is not able to disprove the statement that he is not living in the place of address and he has



no connection with the land in question.

6. In view of the above, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed. No costs.

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Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj

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

1. The Natham Settlement Officer (Special Tahsildar),
Natham Settlement,
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Pudukottai.

2. The Tahsildar and Zonal Administrative Officer,
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3. The Revenue Divisional Officer,
Pudukottai.

4. The District Collector,
Pudukottai.

5. The Commissioner,
Municipality,
South 4th Street,
Pudukottai.

+1 CC to M/s.M.KARTHIKEYA VENKITACHALAPATHY, Advocate (SR-13949[F] dated 26/03/2021)

+1 CC to M/s.SPL GP (SR-14368[F] dated 30/03/2021)

W.P. (MD)No.17296 of 2020

26.03.2021

KK(25.05.2021) 3P 8C