



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.19512 of 2020

and

W.M.P. (MD)Nos.16257 & 16261 of 2020

WEB COPY

The Secretary & Program Director
Community Action for Rural
Development (CARD)
Samathuvapuram, Pulivalam,
Pudukottai District-622 507.

... Petitioner

Vs

1.The District Collector,
Pudukottai District at Pudukottai.

2.The Divisional Revenue Officer,
Pudukottai, Pudukottai District.

3.The Revenue Divisional Officer,
Pudukottai, Pudukottai District.

4.The Tahsildar,
Thirumayam, Pudukottai District.

... Respondents

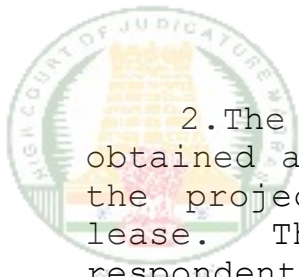
PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings issued by the fourth respondent Tahsildar in Na.Ka.No.4950/2019/A2, dated 30.09.2019 and the consequential impugned proceedings issued by the first respondent District Collector in Na.Ka.No.24739/2018/E5, dated 26.08.2020, quash the same and further direct the respondents to give 40 cents of land in S.No.375/2 of Thekkattur Village (Arasanayakipuram), Pudukottai District to the petitioner towards lease for the period of 30 years for constructing working women hostel under the scheme introduced by the Ministry of Women and Child Development, Government of India.

For Petitioner : Mr.S.Xavier Rajini

For Respondents : Mrs.B.Bhagavathi
Government Advocate

ORDER

Heard the learned counsel on either side.



2.The petitioner is a non governmental organization. It had obtained a project from the Central Government. For implementing the project, the petitioner had to secure Government land on lease. The petitioner moved the fourth respondent. The fourth respondent by the impugned memorandum rejected the petitioner's request. The same is under challenge in this writ petition.

3.The petitioner's counsel pointed out that for implementing the project in question, they are in need of the government land. He would also point out that the reasons set out in the impugned order are not correct.

4. Be that as it may, I am of the view that the petitioner has no legal right to demand that the respondents must hand over the land in question on lease. Since the petitioner has no legal right inhering in them, Writ of Mandamus will obviously not lie. It is for the petitioner to pursue his representation with the superior authorities.

5.In this view of the matter, the Writ Petition is dismissed. I make it clear that the dismissal of this writ petition will not come in the way of the petitioner from approaching the authorities once again for obtaining lease of the land. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

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 District Collector,
Pudukottai District at Pudukottai.



2.The Divisional Revenue Officer,
Pudukottai, Pudukottai District.

3.The Revenue Divisional Officer,
Pudukottai, Pudukottai District.

4.The Tahsildar,
Thirumayam, Pudukottai District.

+1 CC to SGP (SR-65[F] dated 05/01/2021)

+1 CC to Mr.S.XAVIER RAJINI, Advocate (SR-153[F] dated 05/01/2021)

W.P. (MD)No.19512 of 2020
04.01.2021

KM (01.03.2021) 3P 7C