



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.A.[MD]No.1578 of 2019

Ramasamy

: Appellant/Petitioner

Vs.

1.The Land Administration Commissioner,
Land Administration Commissioner Office,
Chepauk,
Chennai - 5.

2.The District Collector,
O/o. District Collectorate,
Dindigul District.

3.The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Dindigul District,
Dindigul.

4.The Tashildar,
Aathur Taluk Office,
Dindigul District.

5.The Block Development Officer,
O/o. Block Development Office,
Aathur,
Dindigul District.

6.The Commissioner,
Dindigul City Municipal Corporation,
Dindigul.

: Respondents/Respondents

[sixth respondent is impleaded vide Court order dated 17.06.2021 made in C.M.P.[MD]No.4604 of 2020 in W.A.[MD]No.1578 of 2019].

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent, praying to allow this Writ Appeal by setting aside the order made in W.P.[MD]No.23026 of 2019 dated 01.11.2019.



Prayer in WP(MD). 23026/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court directing the respondents to issue patta to the petitioner favour in respect of the land in survey No.165/1 situated at Narasingampuram Village, Aathur Taluk, Dindigul district based on the petitioner representation dt.30/08/2019

For Appellant	: Mr.G.Manikandan
For Respondents 1 to 5	: Mr.A.K.Manickam
	Standing Counsel for Government
For Respondent No.6	: Mr.J.Lawrence

JUDGMENT

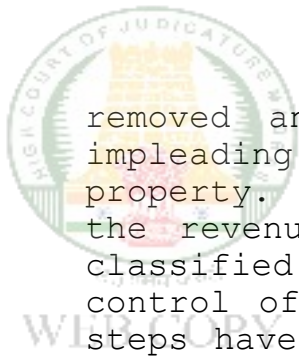
[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J.**]

We have heard Mr.G.Manikandan, learned Counsel appearing for the appellant, Mr.A.K.Manickam, learned Standing Counsel for Government appearing for the respondents 1 to 5 and Mr.J.Lawrence, learned Counsel appearing for the sixth respondent.

2.This Writ Appeal is directed against the order dated 01.11.2019, in W.P.[MD]No. 23026 of 2019.

3.The appellant filed the said writ petition, praying for a direction upon the respondents 1 to 5 to issue patta in his favour in respect of the land in Survey No.165/1, situated at Narasingampuram Village, Aathur Taluk, Dindigul District, by considering his representation dated 30.08.2019. Within hardly one month after giving the representation, the writ petition has been filed. The claim made by the appellant is that the land is classified as a Government Natham and he is in possession of the land for over 50 years and therefore, he is to be granted assignment.

4.Learned Single Bench rightly held that there is no provision either under the revenue standing orders or under the board standing orders that a person can claim as a matter of right for a land classified as a Government natham. The Dindigul City Municipal Corporation, who is the newly impleaded sixth respondent has brought to notice certain startling facts. The property in question is a water body which has been maintained by the Dindigul Municipal Corporation and the land appurtenant to the water body is also a Government land which is maintained by the Municipal Corporation and several crores of amount has been spent to maintain the area and



removed and the present attempt made by the appellant without impleading the Corporation is an attempt to grab the Government property. Further, it is submitted that during the course of time, the revenue entry in respect of the Survey No.165/1 was wrongly classified as a Government Natham, even though the land is under the control of Dindigul Municipal Corporation. Therefore, appropriate steps have been taken for rectification of all the entries. Thus, the appellant does not have any right to claim. From the above facts as shown by the Dindigul Municipal Corporation, it has to be necessarily held that the appellant does not have any legal right to claim.

5. For the above reasons, no ground has been made to interfere with the order passed and accordingly, the Writ Appeal fails and is dismissed and the respondent Corporation is directed to vacate the appellant within a period of two [2] months, if he is in possession. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS II)

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/ /2021

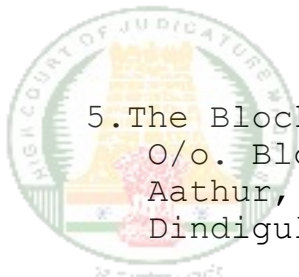
Sub Assistant Registrar (CS)

MR

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 Land Administration Commissioner,
Land Administration Commissioner Office,
Chepauk, Chennai - 5.
2. The District Collector,
O/o. District Collectorate,
Dindigul District.
3. The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Dindigul District,
Dindigul.
4. The Tashildar,
Aathur Taluk Office,
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5.The Block Development Officer,
O/o. Block Development Office,
Aathur,
Dindigul District.

6.The Commissioner,
Dindigul City Municipal Corporation,
Dindigul.

+1 CC to M/s.J.LAWRANCE, Advocate (SR-19630[F] dated
18/06/2021)

+1 CC to M/s.SPL GP (SR-19795[F] dated 21/06/2021)

W.A.[MD]No.1578 of 2019
17.06.2021

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