



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2022

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

AND

THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.NO.4765 OF 2022

AND

W.M.P.NO.4872 OF 2022

A.Rani

...Petitioner

Vs

1.The State of Tamil Nadu,
Represented by its Secretary to Government,
Revenue Department,
Fort St. George,
Chennai - 600 009.

2.The District Collector,
Thiruvallur District,
Thiruvallur.

3.The Revenue Divisional Officer,
Ponneri Taluk,
Ponneri.

4.The Tahsildar,
Ponneri Taluk,
Ponneri.

5.T.Thulasidasan

...Respondents

Prayer : Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing respondents 1 to 4 not to pass any order with regard to the conversion of land from agriculture to any other purposes with respect to the land comprised in Survey No.147/6, Mottayankulam, Ponneri Village, Ponneri Taluk, Thiruvallur District without notice to the petitioner and other persons.

For Petitioner : Mr.S.Jayakumar

For Respondents : Mr.A.Selvendran,
Special Government Pleader
for R1 to 4



ORDER

[Order of this Court was delivered by T.RAJA, J.]

The petitioner has come to this Court for issuance of a writ of Mandamus seeking a direction to respondents 1 to 4 not to pass any order with regard to the conversion of land from agriculture to any other purposes with respect to the land comprised in Survey No.147/6, situated at Mottayankulam, Ponneri Village, Ponneri Taluk, Thiruvallur District, without any notice to her and other persons.

2.Learned counsel appearing for the petitioner submitted that Survey No.147/6 situated at Mottayankulam, Thiruvallur District is the water body, but, one T.Thulasidasan, the fifth respondent herein, after purchasing the lands in Survey No.147/7, proposed to divide the land into house sites. Since there is no pathway connecting his land from the main road, the fifth respondent asked the petitioner to vacate the land of 10 cents, which the petitioner occupied in Survey No.147/6, so that he could form a road from main road to his land. Since the petitioner has objected to the same, the fifth respondent filed W.P.No.30863 of 2019 before this Court stating that Mottayankulam is an Odai Poramboke and there were encroachments in the same and this Court, by order dated 01.11.2019, directed the fourth respondent therein to cause inspection of the land in Survey No.147/6 and find out the classification of the land and in the event of encroachments, to take appropriate action in accordance with law. As the fifth respondent is taking efforts to convert his land into house sites so as to make a provision for a road for connecting his land with the main road, the petitioner submitted a representation dated 26.04.2020 to respondents 1 to 4. As there was no response, the petitioner is before this Court for the above direction.

3.Heard both sides.

4.When we posed a question to the learned counsel for the petitioner as on what basis the petitioner can come to this Court seeking the aforementioned relief that the Survey No.147/6 is a water body, he was unable to satisfy us by producing any document to show that the above Survey No.147/6 was classified as a water body. Therefore, we are unable to entertain this writ petition. Accordingly, this writ petition stands dismissed. Consequently, W.M.P. No.4872 of 2022 stands closed. No costs.

Sd/-

Assistant Registrar(CS-IX)

// True Copy //

Sub Assistant Registrar

vga



To

1.The Secretary to Government,
The State of Tamil Nadu,
Revenue Department,
Fort St. George,
Chennai - 600 009.

2.The District Collector,
Thiruvallur District,
Thiruvallur.

3.The Revenue Divisional Officer,
Ponneri Taluk,
Ponneri.

4.The Tahsildar,
Ponneri Taluk,
Ponneri.

+1cc to Mr.S.Loganathan, Advocate, Sr.No.14492

+1cc to the Government Pleader, Sr.No.15045

W.P.No.4765 of 2022 and
W.M.P.No.4872 of 2022

SPD(CO)
RVM(31/03/2022)