



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 31.03.2022

Coram:

WEB COPY

THE HONOURABLE MR.MUNISHWAR NATH BHANDARI, Chief Justice
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.7579 of 2022

K.Prabakaran

.. Petitioner

Vs.

1.The District Collector,
Namakkal District.

2.The Revenue Divisional Officer,
Office of Revenue Divisional Officer,
Thiruchengode Taluk, Namakkal District.

3.The Thasildar,
Office of the Thasildar,
Paramathi Velur,
Namakkal District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to consider the representation of the petitioner herein, dated 10.2.2022 and pass orders on the same within an appropriate time.

For Petitioner : Mr.Mohan Raju for
Mr.R.Nalliyappan

For Respondents : Mr.P.Muthukumar,
State Government Pleader

ORDER

(Order of the Court was made by The Honourable Chief Justice)

We have heard the learned counsel appearing for the respective parties.

2. The writ petition has been filed seeking a direction to the respondents to consider the representation of the petitioner.



3. It is stated that for a temple land, joint patta was issued in the names of individuals and a part of the land owned by the temple was sold by those individuals, which should be treated to be nothing but encroachment because patta could not have been issued in the names of individuals. However, those individuals who have been granted patta were not made parties to this writ petition.

4. The way in which public interest litigations are filed is to be deprecated. When patta has been issued in favour of individuals, without a challenge to it, the writ petition has been filed to consider the representation to remove their names in the patta, which is nothing but an abuse of process of court in the hands of the petitioner. Apart from that, the writ petition suffers from non joinder of parties.

5. Accordingly, the writ petition is dismissed with cost of Rs.10,000/- (Rupees ten thousand only) to be paid to the Tamil Nadu State Legal Services Authority, Chennai within 15 days from today and the compliance shall be reported to the Registrar Judicial. If the compliance is not made within the time stipulated, the writ petition shall be posted before this Court for passing appropriate orders for compliance. There will be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

RS

To

- 1.The District Collector,
Namakkal District.
- 2.The Revenue Divisional Officer,
Office of Revenue Divisional Officer,
Thiruchengode Taluk, Namakkal District.
- 3.The Thasildar, Office of the Thasildar,
Paramathi Velur,
Namakkal District.
- 4.The Registrar Judicial,
High Court of Madras.



Copy to:

The Tamil Nadu State Legal Services Authority,
Chennai.

WEB COPY

+1cc to Government Pleader SR. No.21824

W.P.No.7579 of 2022

RP (CO)

PR (07/04/2022)