



W.P.No.8886 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE

AND

THE HON'BLE MRS.JUSTICE N.MALA

W.P.No.8886 of 2022

Karthiknathan

.. Petitioner

Vs

1.The District Collector,
Office of the Collectorate,
Villupuram, Villupuram District.

2.The Block Development Officer,
Panchayat Union,
Kandamangalam,
Villupuram, Villupuram District.

3.The Panchayat President,
Mitta Mandagapattu Panchayat,
Panchayat Union, Kandamangalam,
Villupuram District.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents not to reclassify the Kalam situated in Survey No.40/1, Mitta Mandagapattu Village, Kandamangalam, Villupuram District as Nathan and further



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direct the respondents to find suitable Natham or any other Government Puramboke land within the vicinity of the villages that come under the third respondent Panchayat, for implementing the scheme of issuing free house site for the Irrular community people, thereby ensuring their fundamental right is protected.

For the Petitioner : Mr.B.Balavijayan

For the Respondents : Mr.J.Ravindran
Addl. Advocate General
assisted by
Mr.A.Selvendran
Spl. Government Pleader
for respondent Nos.1 and 2

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The writ petition has been filed to seek a direction on the respondents not to re-classify the Kalam situated in Survey No.40/1, Mitta Mandagapattu Village, Kandamangalam, Villupuram District.

2. Counter to the writ petition has been filed by the first respondent to indicate that no final decision has yet been taken, rather, it is only a proposal and, in any event, objections have been called for by the District Administration. In view of the above, the



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writ petition was filed prematurely and otherwise the petitioner is not going to be affected by the exercise to be undertaken. Rather, he is espousing the cause of the encroachers. Thus, the writ petition may be dismissed.

3. Learned counsel for the petitioner submitted that since direction has already been given to call for objections and hear the parties, an opportunity may be given to the petitioner also.

4. We have considered the submissions of the parties and find that the writ petition is premature, as no final decision has been taken or order has been passed, rather, objections have been called for by the District Administration. Therefore, there was no cause for the petitioner to file the present writ petition. Finding that the writ petition is premature, the same is accordingly dismissed. There will be no order as to costs. Consequently, W.M.P.No.8723 of 2022 is closed.

(M.N.B., C.J.) (N.M., J.)
11.07.2022

Index : Yes/No
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WEB COPY

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THE HON'BLE CHIEF JUSTICE
AND
N.MALA,J.

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