



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 06.06.2022

Coram:

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE
AND
THE HONOURABLE MRS.JUSTICE N.MALA

W.P.No.11827 of 2022
and
W.M.P.No.11259 of 2022

S.Viduthlaivalavan

...Petitioner

Vs.

1. The District Collector,
O/o The District Collector,
Cuddalore, Cuddalore District.
2. The Revenue Divisional Officer,
O/o The Revenue Divisional Officer,
Cuddalore, Cuddalore District.
3. The Tahsildar,
O/o The Tahsildar,
Veppur Taluk, Cuddalore District.
4. The Zonal Deputy Tahsildar,
O/o The Tahsildar,
Veppur Taluk, Cuddalore District.
5. The Sub-Divisional Revenue Inspector,
O/o The Tahsildar,
Veppur Taluk, Cuddalore District.
6. The Revenue Inspector,
O/o The Tahsildar,
Veppur Taluk, Cuddalore District.
7. M.Rajadurai

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents 1 to 6 herein to take necessary action against



the seventh respondent and his men for their illegal activities and having disproportionate properties of the Government Poramboke land and to cancel the Patta issued in favour of non-existing Temple, namely "Arulmigu Santhappar Swamy Temple", vide Patta No.4 by making false entry in the Village Revenue Adangal Register, based on the petitioner's representation dated 19.02.2022.

For petitioner : Mr.S.Kumara Devan

For respondents: Mr.P.Muthukumar, State Govt. Pleader
assisted by Mr.A.Selvendran,
Spl.G.P., for RR-1 to 6

ORDER

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

The Writ Petition (Public Interest Litigation (PIL)) has been filed to seek a direction on the respondents 1 to 6 to take action against the seventh respondent for his illegal activities and having disproportionate properties of the Government Poramboke land. The prayer has also been made even to cancel the Patta issued in favour of the alleged non-existing Temple, namely "Arulmigu Santhappar Swamy Temple". Reference to the representation made by the petitioner on 19.02.2022 has also been given.

2. Learned counsel for the petitioner failed to refer the Patta sought to be cancelled in the prayer clause made in the Writ Petition and thus, without filing a copy of the Patta to be cancelled, the Writ Petition is presented and addressed. It is with further allegation against the seventh respondent regarding the disproportionate properties without showing the list of properties and materials to show them to be disproportionate. It is more so, when the learned counsel for the petitioner himself has admitted that the seventh respondent is not a Government employee.

3. The learned Government Pleader appearing for the respondents 1 to 6 has produced a copy of the document to show the title of the land in question in the name of the Temple. It is pursuant to the Patta granted as per the provisions of law with consequential entry in the records.

4. In view of the facts given above, we find that the PILs. are filed without proper research and production of documents to see the correctness of the pleadings and especially



the allegations made therein. The casual filing of the PILs. is nothing but causing unnecessary burden on the Court to address such litigations at the cost of the litigation required to be addressed on merits and pending for long.

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5. The casual filing of the PILs. has to be deprecated and the case on hand is of such nature. The allegation of disproportionate properties against the seventh respondent herein, has been made, without any materials and in the same way, the challenge to the Patta without filing of a copy of it and without giving the reason for challenge to the Patta.

6. Taking into consideration the over-all facts of the case, we do not find the challenge to the Patta issued in the name of the Temple can sustain without producing a copy of it and setting out the legal grounds for cancellation of the Patta. At the same time, the allegation against the seventh respondent regarding disproportionate properties, cannot be accepted, in the absence of the materials produced to prove the same.

7. In view of the above, we do not find any substance in the present PIL. Accordingly, the present Writ Petition (PIL) is dismissed with costs of Rs.10,000/- (Rupees ten thousand only) to be deposited by the petitioner before the Tamil Nadu State Legal Services Authority, High Court Buildings, Chennai-600 104, within a period of two weeks from today. Consequently, W.M.P. is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

cs/hvk
To

1. The District Collector,
O/o The District Collector,
Cuddalore, Cuddalore District.
2. The Revenue Divisional Officer,
O/o The Revenue Divisional Officer,
Cuddalore, Cuddalore District.



3. The Tahsildar,
O/o The Tahsildar,
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O/o The Tahsildar,
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5. The Sub-Divisional Revenue Inspector,
O/o The Tahsildar,
Veppur Taluk, Cuddalore District.

6. The Revenue Inspector,
O/o The Tahsildar,
Veppur Taluk, Cuddalore District.

Copy to

The Member Secretary
Tamil Nadu State Legal Services Authority
High Court, Chennai 104.

+1 CC to Mr.S.Kumara Devan,Advocate sr 32305.

+1 CC to The Government Pleader sr 33147(21/06/2022)

W.P.No.11827 of 2022

NRJK(CO)
SP(10/06/2022)