



W.P.(MD).No.9548 of 2012

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.9548 of 2012
and
M.P(MD)Nos.2 and 3 of 2012

1.P.S.Albert
2.A.Robert
3.V.Nandakumar

... Petitioner

Vs.

1.The District Collector,
Trichy District,
Trichy.

2.The Revenue Divisional Officer,
Trichy,
Trichy District.

3.The Tahsildar,
Thiruvarambur Taluk,
Trichy District.

4.The Assistant Executive Engineer,
Public Works Department,
R.C.Division,
Trichirappalli.

5.V.Kumar

... Respondents

1/5



W.P.(MD).No.9548 of 2012

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents from interfering with the peaceful possession and enjoyment of the petitioners in respect of the Thattankulam Tank located at Survey No.344/1, Pathalapettai Village, Thiruvarambur Taluk, Trichirappalli District including catching fish and cutting trees by use of coercion or illegal force without authority of law.

For Petitioner : Mr.B.Saravanan
For Respondents : Mr.N.Muthu Vijayan
Special Government Pleader
for R1 to R4
No Appearance

ORDER

The present writ petition has been filed seeking a writ of Mandamus, forbearing the official respondents from interfering with the peaceful possession and enjoyment of Survey No.344/1 Pathalapettai Village, Thiruvarambur Taluk, Trichirappalli District including catching of fish and cutting of trees.

2. The learned counsel for the petitioner had pointed out that as per the revenue records, the said survey number is a private patta land. A patta has been granted in patta No.1276. The said patta has not been



W.P.(MD).No.9548 of 2012

cancelled as on today. There was a peace committee meeting on 07.06.2012, under which a proposal was made to cancel the patta and restore the patta in the name of P.W.D. However, for the past ten years, no such proceedings have been initiated even though there was no order of interim stay in the writ proceedings.

3. Hence, even as on today, the said survey number continues to be a private patta land, even though it is called as Thattankulam as per the revenue records. The revenue authorities have not initiated any action either to mutate the revenue records or to cancel the patta standing in the name of the writ petitioner.

4. In view of the above said facts, this Court is constrained to allow the writ petition. This Writ Petition stands allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

29.06.2022

gbg

3/5



W.P.(MD).No.9548 of 2012

Index : Yes / No
Internet : Yes / No

WEB COPY

To

- 1.The District Collector,
Trichy District,
Trichy.
- 2.The Revenue Divisional Officer,
Trichy,
Trichy District.
- 3.The Tahsildar,
Thiruvarambur Taluk,
Trichy District.
- 4.The Assistant Executive Engineer,
Public Works Department,
R.C.Division,
Trichirappalli.



WEB COPY



W.P.(MD).No.9548 of 2012

R.VIJAYAKUMAR ,J.

gbg

Order made in
W.P.(MD).No.9548 of 2012

29.06.2022