



W.P.(MD)No.4968 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.07.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.4968 of 2013

A.Arulanantham

... Petitioner

Vs.

- 1.The District Collector,
Tuticorin District,
Tuticorin.
- 2.The Tahsildar,
Vilathikulam Taluk,
Tuticorin District.
- 3.The Village Administrative Officer,
Periyasampuram Village,
Vilathikulam Taluk,
Tuticorin District.
- 4.The President,
Periyasampuram Village Panchayat,
Vilathikulam Taluk,
Tuticorin District

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the



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respondents 1 to 4 or their subordinate from in any way evicting the petitioner and this family members from their lands classified as Natham lands in Natham Survey No.173/9, Periyasampuram Village, Tuticorin District.

For Petitioner : M/s.Jasima Yasmin
for M/s.Ajmal Associates

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader
for R1 to R3

No appearance for R4

ORDER

The present writ petition has been filed seeking for a Writ of Mandamus, forbearing the respondents or their subordinates from in any way evicting the petitioner and his family members from their lands classified as Natham lands in Natham Survey No.173/9, Periyasampuram Village, Tuticorin District.

2. According to the petitioner, they are from a poor



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background and they are residing in a small area .In the above said survey number, they have been residing there with their family for so many years.

3. The learned Counsel for the petitioner contended that the said survey number has been classified as Natham. Since the classification is Natham, the Government has no jurisdiction to evict the petitioner. However, the learned Additional Government Pleader for the respondents has filed a counter and contended that as per the revenue records, it is a Government Poramboke. Admittedly, the petitioner is in possession of the above said survey number for so many years. In case, if the respondents want to evict the petitioner and their family members, the same shall be done only by following due process of law. In case, if any such proceedings are initiated, the petitioner is at liberty to defend the said proceedings by contending that it is a Natham land. It is for the petitioner to establish that it is a Natham Vacant and the Government has no jurisdiction over the same.



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4. With the above said observations, this Writ Petition stands disposed of. No costs.

22.07.2022

Index : Yes / No
Internet : Yes / No
jbr

To

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Vilathikulam Taluk,
Tuticorin District.
- 3.The Village Administrative Officer,
Periyasampuram Village,
Vilathikulam Taluk,
Tuticorin District.



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R.VIJAYAKUMAR ,J.

jbr

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