



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.9212 of 2022

and

W.M.P.(MD)Nos.6579 & 6582 of 2022

WEB COPY

Ganesamoorthy

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Kovilpatti,
Thoothukudi District.

3.The Tahsildar,
Ettayapuram,
Thoothukudi District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the proceedings in impugned proceedings in Na.Ka.NO.A2/7804/2018, dated 26.06.2019 issued by the 3rd respondent and consequently in turn issue the patta for the same in respect of the Survey No.117/3, Bymas No.212 situated at Thappathi, Muthalapuram Post, Ettayapuram Taluk, Thoothukudi District.

For Petitioner : Mr.SP.Krishnasamy

For Respondents : Mr.K.Balasubramani
Special Government Pleader

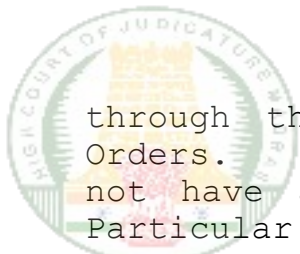
O R D E R

Heard the learned counsel appearing for the petitioner and the Special Government Pleader appearing for the respondents.

2. The petitioner is in possession of the petition mentioned lands. He seeks issuance of patta. He filed W.P.(MD)No.7824 of 2022 for directing Tahsildhar, Ettaiyapuram to issue patta. Vide order dated 25.04.2022, a learned Judge of this Court disposed of the writ petition by giving liberty to the petitioner to challenge the order dated 26.06.2019 already passed by the jurisdictional Thasildar rejecting the petitioner's request. In terms of the liberty given in the said writ petition, the present writ petition has been filed.

3. The learned counsel appearing for the petitioner took me

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through the various provisions set out in the Revenue Standing Orders. It is well settled that the Revenue Standing Orders do not have any statutory force. He relied on a number of G.Os. Particular reliance is placed on G.O.Ms.Nos.1062, G.O.Ms.No.1358, G.O.Ms.No.290 & G.O.Ms.No.336. It is well settled that they only furnish guidelines for the authorities to bear in mind while issuing patta. They do not have any statutory force. In any event, the petitioner cannot claim any enforceable legal right.

4. The learned Special Government Pleader drew my attention to the proceedings in Na.Ka.No.J4/809/2022, dated 18.04.2022. The lands for which, patta is now sought have been identified for the purpose of putting up rehabilitation camp for Srilankan refugees. It is also stated that the petitioner was treated as an encroacher and that adhering to provisions of the Tamil Nadu Land Encroachment Act, the petitioner was also evicted. Possession was also taken and it is now with the department.

5. In view of this subsequent development, particularly, the order dated 18.04.2022 passed by the District Collector, Tuticorin, I am not in a position to interfere. The Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

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To

- 1.The District Collector,
Thoothukudi District, Thoothukudi.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Kovilpatti, Thoothukudi District.
- 3.The Tahsildar,
Ettayapuram, Thoothukudi District.

+1 CC to M/s.SPL.GP (SR-26196[F] dated 16/06/2022)

W.P. (MD)No.9212 of 2022

14.06.2022

RD(24.06.2022) 2P 5C