



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. [MD]No.10868 of 2022

and

W.M.P. [MD]No.7834 of 2022

V.Moovendhan

: Petitioner

Vs.

- 1.The Commissioner of Land Administration,
Commissionerate of Land Administration (CLA),
Ezhilagam, PWD Estate,
Chepauk,
Triplicane,
Chennai - 600 005.
- 2.The District Collector,
Sivagangai District, Sivagangai.
- 3.The District Revenue Officer,
Sivagangai, Sivagangai District.
- 4.The Revenue Divisional Officer,
Sivagangai, Sivagangai District.
- 5.The Tahsildar,
Kalayarkovil, Kalayarkovil Taluk,
Sivagangai District.

6.Karthik Sadasivam

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned proceedings passed by the third respondent dated 08.12.2021 in Mu.Mu.C2/13243/2020 and the impugned proceedings passed by the fourth respondent dated 26.05.2020 in Na.Ka.A3/3681/2018 and quash the said proceedings and consequently directing the respondents 1 to 5 herein to take comprehensive steps to cancel the patta stands in the name of the sixth respondent in respect of the lands bearing survey Nos.291/1 to the extent 0.98.0 hectares, 291/2 to the extent 0.98.0 hectares, 291/3 to the extent 0.97.5 hectares, 292/1 to the extent 0.90.0 hectares, 292/3 to the extent 0.90.0 hectares and survey No.292/4 to the extent of 0.90.0 hectares situate at Pappakudi (Ayan) Village, Athapadakki Group, Kalayarkovil Taluk, Sivagangai District and



reclaim and repossess the same and freed from all encumbrances and allowed to utilize the same for the public purpose.

For Petitioner : Mr.A.Saravanan
For Respondents 1 to 5 : Mr.Veera Kathiravan
Additional Advocate General
Assisted by Mr.P.Thilak Kumar
Government Pleader

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O R D E R

[Order of the Court was made by **P.N.PRAKASH, J.**]

It is the case of the petitioner that land measuring around 5.63.5 hectares in S.Nos.291/1, 2, 3 and 292/1, 3 & 4 in Pappakudi (Ayan) Village, Athapadakki Group, Kalayarkovil Taluk, Sivagangai District was assigned to the landless Dalits several years back and most of them have alienated those lands in violation of the orders of assignment. Therefore, when the petitioner gave applications to the revenue authorities for cancellation of the pattas, those applications were rejected on the ground that civil disputes between the parties are pending.

2.Heard Mr.A.Saravanan, learned Counsel appearing for the writ petitioner and Mr.Veera Kathiravan, learned Additional Advocate General assisted by Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents 1 to 5.

3.We are of the view that when civil disputes are pending, it may not be appropriate for the revenue authorities to grant pattas and that apart, the present dispute purely appears to be a private dispute and hence, the orders of the revenue authorities cannot be challenged by way of a Public Interest Litigation.

4.Accordingly, this Writ Petition is dismissed with liberty to the petitioner to work out his remedies in the manner known to law. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR



To

1.The Commissioner of Land Administration,
Commissionerate of Land Administration (CLA),
Ezhilagam, PWD Estate,
Chepauk,
Triplicane,
Chennai - 600 005.

2.The District Collector,
Sivagangai District, Sivagangai.

3.The District Revenue Officer,
Sivagangai, Sivagangai District.

4.The Revenue Divisional Officer,
Sivagangai, Sivagangai District.

5.The Tahsildar,
Kalayarkovil, Kalayarkovil Taluk,
Sivagangai District.

+1 CC to M/s.SPL.GP (SR-24902[F] dated 09/06/2022)

ORDER MADE IN
W.P. [MD]No.10868 of 2022
07.06.2022

nsn(CO)
TR(15.06.2022) 3P 7C