



W.P.(MD)No.14397 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.14397 of 2022

and

W.M.P.(MD)Nos.10288 & 10289 of 2022

A.Sahaya Mary Gracy

... Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Trichy.

2.The District Revenue Officer,
Office of the District Revenue Officer,
Trichy.

3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Trichy.

4.The Tahsildar,
Trichy West Taluk,
Trichy.

... 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 pertaining to the impugned proceedings issued by the second respondent



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in A2/2185/2021, dated 25.02.2021 and quash the same as illegal and direct the respondents herein to allot alternate land by considering the exemplary of husband of the petitioner in the Indian Army as per G.O.No.1270 Revenue dated 12.06.1979 within the time stipulated by this Court.

For Petitioner : Mr.B.Jameel Arasu

For Respondents : Mr.K.Balasubramani

Special Government Pleader

ORDER

Heard the learned counsel on either side.

2. The petitioner sought issuance of patta in respect of the site comprised in Old Survey No.62/1 part in Piratiyoor West Village, Trichy.

3. The second respondent by the impugned order rejected the said request on the ground that it has been classified as a water body. It has been held time and again that a water body cannot be assigned in favour of the private parties. Therefore, the order impugned in the writ petition does not call for any interference.



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4. The petitioner's counsel states that she may be allotted an alternative site. It is also stated that the petitioner's husband served an Indian Army and therefore, she is entitled to the benefit conferred under G.O.No.1270, Revenue, dated 12.06.1979. These are matters which the revenue authorities have to bear in mind and consider and it is not for this Court to issue any positive direction.

5. With this direction, the Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

07.07.2022

Index : Yes / No
Internet : Yes/ No
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To

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