



W.P.(MD)No.15119 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2022

CORAM

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

W.P.(MD)No.15119 of 2020

S.Lakshmi Narayanan

.. Petitioner

Versus

- 1.The District Collector,
O/o. the District Collector,
Tirunelveli District,
Tirunelveli.
- 2.The District Revenue Officer,
O/o.The District Revenue Office,
Tirunelveli District,
Tirunelveli.
- 3.The Revenue Divisional Officer,
O/o.the Revenue Divisional Officer,
Cheranmahadevi,
Trunelveli District.
- 4.The Tahsildar,
O/o.the Tahsildar,
Ambasamuthiram,
Tirunelveli District.
- 5.Thiruvavaduthurai Adheenam,
Thiruvavaduthurai ,
Through it's Adheenakarhar,
Srl.La.Sri.Siva Prakasa Pandara
Sannidhi Avargal,
Mayiladuthurai Taluk, Nagapattinam District.

.. Respondents



W.P.(MD)No.15119 of 2020

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, direct the respondents 1 to 4 to cancel the patta stand in the name of respondent No.5 in patta No.1 situated at Sivanthipuram Revenue Village, Ambasamuthiram Taluk, Tirunelveli District by considering the petitioner's representation dated 23.09.2020.

For Petitioner : Mr.T.Thirumurugan

For Respondents : Mr.P.Thilak Kumar
Government Pleader for R1 to R4

Mr.B.Brijesh Kishore for R5

ORDER

(Order of the Court was made by R. MAHADEVAN, J.)

The prayer made in this public interest litigation, is to issue a writ of mandamus, directing the respondents 1 to 4 to cancel the patta bearing No.1, standing in the name of the fifth respondent, pertaining to the property at Sivanthipuram Revenue Village, Ambasamuthiram Taluk, Tirunelveli District, by considering the petitioner's representation dated 23.09.2020.

2. According to the petitioner, who is a resident of Sivanthipuram Village. His village has been declared as Inam Village as per section 1(4) of the Tamil Nadu Inam Estates (Abolition and Conversion into Ryotwari) Act, 1963 and the same has been taken over by the Government, vide G.O.Ms.No.781, dated 12.03.1965. Subsequent to the notification, the entire lands in the village were taken possession by the



W.P.(MD)No.15119 of 2020

Government. Challenging the said declaration, the fifth respondent preferred an appeal before the Settlement Officer, Madurai, and the said appeal came to be dismissed on 15.07.1971. Aggrieved by the same, R.A.No.165 of 1971 was filed before the Inam Abolition Tribunal, which was also dismissed by order dated 23.09.1974. Thereafter, the fifth respondent filed further revision before this Court in C.R.P.No.3771 of 1974, which was also dismissed by order dated 24.11.1978. Subsequent to the same, there was no appeal filed and hence, the declaration of the said village as Inam village in the year 1963, attained finality. However, till date, the revenue records, particularly, patta no.1, pertaining to the same stand in the name of the fifth respondent. Taking advantage of the same, the fifth respondent entered into tenancy / lease deed, in respect of the land of the village measuring about 1008 acres and 34 cents and obtained huge amount from the private parties, thereby causing revenue loss to the Government. Narrating the same, the petitioner made a representation dated 23.09.2020 to the respondents requesting to cancel patta No.1 standing in the name of the fifth respondent. As there was no response, he has preferred this writ petition with the aforesaid prayer.

3. Heard Mr.T.Thirumurugan, learned counsel for the petitioner, Mr.P.Thilak Kumar, learned Government Pleader for the respondents 1 to 4 and Mr.B.Brijesh Kishore, learned counsel for the fifth respondent and also perused the materials available on record.



W.P.(MD)No.15119 of 2020

4. In this writ petition, the grievance expressed by the petitioner is that as early as on 12.03.1965, by G.O.Ms.No.781, the Sivanthipuram village has been declared as Inam village and the same has been duly notified in the Government gazette. The proceedings initiated against the said notification by the fifth respondent ultimately ended in dismissal, by the order of this court dated 24.11.1978 in CRP.No.3771 of 1974. However, patta no.1, pertaining to the properties of the said village, stands in the name of the fifth respondent, till date. Therefore, the petitioner prayed for a direction to the respondent authorities to cancel the said patta.

5. Since the issue involved herein is relating to cancellation of patta standing in the name of the fifth respondent *qua* lands of the Sivanthipuram Village, Ambasamuthiram Taluk, Tirunelveli District, this court is of the view that such a prayer made by the petitioner cannot at all be granted, by exercising the power conferred under Article 226 of the Constitution. Therefore, leaving it open to the petitioner to redress his grievance in the manner known to law, the Writ Petition stands dismissed. No costs.

[R.M.D., J.] [J.S.N.P., J.]
17.11.2022

Internet : Yes.



W.P.(MD)No.15119 of 2020

Index : Yes/No

r n s

WEB COPY

To

- 1.The District Collector,
O/o. the District Collector,
Tirunelveli District,
Tirunelveli.
- 2.The District Revenue Officer,
O/o.The District Revenue Office,
Tirunelveli District,
Tirunelveli.
- 3.The Revenue Divisional Officer,
O/o.the Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.
- 4.The Tahsildar,
O/o.the Tahsildar,
Ambasamuthiram,
Tirunelveli District.



WEB COPY



W.P.(MD)No.15119 of 2020

R. MAHADEVAN, J.
and
J.SATHYA NARAYANA PRASAD, J.

r n s

W.P.(MD)No.15119 of 2020

17/11/2022