



W.P.No.185 of 2020

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 05.04.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

**W.P.No.185 of 2020  
And  
W.M.P.No.215 of 2020**

M.Murugan

... Petitioner

Vs.

1.The District Collector and  
Chairman of the District Forest Committee,  
Office of the Collector,  
Coimbatore – 18.

2.The Deputy Director and  
District Forest Officer,  
Aanai Malai Tiger Reserve,  
Meenkarai Road,  
Pollachi,  
Coimbatore District.

3.The Thasildhar  
Vaalparai Taluk,  
Vaalparai,  
Coimbatore District.

... Respondents

**Prayer:**

Petition filed under Article 226 of the Constitution of India to  
issue a Writ of Mandamus directing the respondents to grant  
permission to the petitioner to revamp the shed situated at his



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agricultural farm comprised in Survey No.1/3B situated at Thalanar, Aaanimalai Hills Village, Vaalparai Taluk, Coimbatore District, based on the petitioner's representation dated 04.11.2019.

For Petitioner : Mr.C.D.Sugumar

For Respondents : Mr.M.Alagu Goutham for R1 to R3  
Government Advocate

### **O R D E R**

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to grant permission to the petitioner to revamp the shed situated at his agricultural farm comprised in Survey No.1/3B situated at Thalanar, Aaanimalai Hills Village, Vaalparai Taluk, Coimbatore District, based on the petitioner's representation dated 04.11.2019.

2.The case of the petitioner is that vide order of the Revenue Thasildhar and The Registering Officer, Valparai dated 10.07.2017, the petitioner was declared as the cultivating tenant of the subject property. There was a temporary in the said land and the same got damaged due to heavy rain and wind and hence the petitioner purchased some construction materials for reconstructing the temporary shed, however, the respondents 1 and 2 are not allowing



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the petitioner to take any construction material into the said land. In this regard the petitioner made representation to the respondents and since the same has not yet been considered has filed this writ petition.

3.The learned counsel appearing for the petitioner submitted that this Court direct the second respondent to permit the petitioner to revamp the shed which was put up by the petitioner as cultivating tenant.

4.Per contra, the learned Government Advocate appearing for the respondents submitted that as against the order of the Revenue Thasildhar and The Registering Officer, Valparai dated 10.07.2017, the owner of the subject property Mrs.Santha Kuriyan and Mr.Kuriyan filed A.P.No.10 of 2018 before the Revenue Court, Trichirappalli and the same is pending. Suppressing the appeal filed by the land owners, the petitioner has filed this writ petition, which is not sustainable one.

5.Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the respondents.



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6.The petitioner is the cultivating tenant and this writ petition has been filed seeking direction to the respondents to grant permission to the petitioner to revamp the shed situated in the subject property, however, the owners of the land have not been arrayed as party in this writ petition. Further, it appears that the land owners have filed appeal in A.P.No.10 of 2018 before the Revenue Court, Trichirappalli and the same is pending. Hence, this Court is not inclined to grant the relief sought for by the petitioner in this writ petition.

7.The writ petition is accordingly dismissed. No costs. Consequently, the connected miscellaneous petition is also closed.

**05.04.2023**

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No



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**M.DHANDAPANI,J.**  
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