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W.P.No.1392 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.1392 of 2023

&

W.M.P.No.1469 of 2023

S.Ravi

...Petitioner

Vs.

1.The District Collector
The District Collectorate
Mayiladuthurai District

2.The Revenue Divisional Officer
O/o. The Revenue Divisional Officer
Mayiladuthurai Division
Mayiladuthurai-609 001

3.The Tahsildar
Mayiladuthurai Taluk
Mayiladuthurai-609 001

4.The Executive Officer
Manalmedu Town Panchayat
Manalmedu-609 202
Mayiladuthurai Taluk

5.The Joint Director of Agriculture
Integrated Agricultural Expansion Centre
Mayiladuthurai District
Mayiladuthurai-609 001

... Respondents



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PRAYER: Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus forbearing the respondents from proceeding with construction activities for constructing the building for the proposed Agricultural Expansion Centre on the land, earmarked as Kalam in the revenue records comprised in Survey No.302/B1 of Manalmedu Revenue Village, Mayiladuthurai Talu & district which is being used as kalam by the petitioner and the other farmers of Manalmedu Town Panchayat, Mayiladuthurai Taluk & District.

For Petitioner : Mr.Raja Sundarraman

For Respondents : Mr.K.M.D.Muhilan, AGP

ORDER

The writ petition is filed to forbear the respondents from proceeding with construction activities for constructing the building for the proposed Agricultural Expansion Centre on the land, earmarked as Kalam in the revenue records comprised in Survey No.302/B1 of Manalmedu Revenue Village, Mayiladuthurai Talu & district which is being used as kalam by the petitioner and the other farmers of Manalmedu Town Panchayat, Mayiladuthurai Taluk & District.

2. It is the contention of the Writ petitioner that that land has been classified as Kalam has been utilized by the farmers who are the owners and lessees of the surrounding lands. When the matter stood thus, the



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respondents are trying to put up construction over the said land for the purpose of establishing the agricultural expansion centre. Hence, the Writ Petition.

3. Learned counsel appearing for the petitioner would submit that the construction is infact affecting all the surrounding farmers, since the land itself is used is classified as Kalam.

4. Mr.K.M.D.Muhilan, learned Additional Government Pleader takes notice for the respondents. According to him out of the total extent of land only 3 Ares i.e about 6 cents alone being used for construction of agricultural expansion centre only for the benefit of the farmers. According to him almost 40% of the construction is over and funded by the Government by the tender of the year 2021 for a sum of Rs.38 lakhs. Hence, opposed the Writ Petition.

5. According to the learned Additional Government Pleader, the Writ Petition has been filed only for the personal interest and not for public interest.



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6. I have perused the entire records.

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7. Though it is stated that the Kalam has been used by the surrounding farmers, the photographs shown by the respondents as on today is otherwise. Be that as it may, around 6 cents alone been used now, the remaining lands is still used as Kalam.

8. In such view of the matter, when the substantial construction has already commenced and the Government has also spent huge amount, such projects cannot be stalled merely for the convenience of the petitioner and others.

9. Accordingly, I do not find any merits in the Writ Petition. Writ Petition is dismissed. No costs. Consequently, Connected Writ Miscellaneous Petition is closed.

19.01.2023

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Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No



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N. SATHISH KUMAR, J.

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