



WEB COPY

WP No.3277 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10-08-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.3277 of 2023

And

WMP Nos.3329 and 3330 of 2023

Chinnathai

... Petitioner

Vs.

- 1.The District Collector,
Erode,
Pincode-638 001.
- 2.The District Welfare Officer,
SC/ST Welfare Department,
Erode,
Pincode-638 001.
- 3.The Revenue Divisional Officer,
Erode,
Pincode-638 001.
- 4.The Tahsildar,
Perundurai,
Pincode-638 052.



5. The Block Development Officer,
Chennimalai,
Erode District.

6. The President,
Vadamugam Vellode Panchayat,
Perundurai Taluk,
Erode District,
Pincode-638 052.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the fourth respondent in வ.அ.மனு 524/22/எஸ்.2 dated 28.11.2022 and quash the same and consequently direct the fourth respondent to issue patta in Old Survey No.655B, New S.No.641/ 3 at Vadamugam, Vellode Village, Perundurai Taluk, Erode District.

For Petitioner	: Mr.K.Murugesan
For Respondents	: Mr.C.Jayaprakash, Government Advocate.

ORDER

The order dated 28.11.2022 issued by the fourth respondent-
Tahsildar, is under challenge in the present writ petition.



2. The petitioner states that along with her husband she purchased the subject property as described in the present writ petition.

3. The petitioner submitted an application for grant of patta, which was not considered. The petitioner submitted further application on 21.06.2022 to the Tahsildar and the Tahsildar asked the Taluk Surveyor to measure the land and submit the report.

4. Based on the report of the Taluk Surveyor, the Tahsildar passed an order stating that the subject property has been classified as 'Government Vacant Poramboke'. There is no patta in the name of the petitioner and more-so, in the said Government land, an Anganvadi Centre has already been constructed.

5. The learned Government Advocate, appearing on behalf of the respondents, submitted the copy of the photograph showing that the said Anganvadi Centre has been constructed and if at all any boundary dispute exists with reference to the subject property, the petitioner has to approach



the Competent Civil Court of Law for the purpose of establishing his civil rights based on the documents and evidences available on record.

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6. In respect of the order impugned is concerned, based on the revenue records, the Tahsildar found that it is a 'Government Poramboke Vacant Land' and further an Anganwadi Centre has already been constructed. Thus the relief as such sought for in the present writ petition cannot be granted to the petitioner.

7. Accordingly, the present writ petition stands dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are also dismissed.

10-08-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn

To



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WEB COPY

WP No.3277 of 2



S.M.SUBRAMANIAM, J.

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WP 3277 of 2023

10-08-2023