



W.P.No.12437 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.12437 of 2023

1. K.Sankar
2. N.Lazer
3. S.Robert
4. S.Fathima
5. S.Sowriammal
6. S.Chandrakumar
7. K.Kesavan
8. S.Sandhiya
9. S.Lurdhur Mary
10. K.Kandha
11. S.Monisha
12. Raji
13. A.Salamonraj



W.P.No.12437 of 2023

14. M.Sasimala

WEB COPY

15. D.Madhanraj

16. L.Paanjalai

17. J.Sandhiya Santhi

18. S.Rajendiran

19. S.Rajesh

20. K.Vasudevan

21. S.Daicy

22. L.Shaji

23. S.Shalini

... Petitioners

vs.

1. The Secretary to Government,
Revenue Department,
Secretariat, Chennai-600 009.
2. The District Collector,
Chengalpattu District.
3. The Adi Dravidar Welfare Officer,
Chengalpattu, Chengalpattu District.
4. The Revenue Divisional Officer,
Madhurandhagam, Chengalpattu District.
5. The Tahsildar,
Madhurandhagam,
Chengalpattu District.

... Respondents



W.P.No.12437 of 2023

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the respondents to convert the Nelvoy Village Survey Number 298/2A total extend of 1.67.50 Hectare from Meikkal Poromboke category to Village Naththam category and divide the same consequently issue the separate free house site patta to the petitioners based on the petitioners representation dated 10.2.2023.

For Petitioners : Mr.G.Punniakoti

For Respondents : Mr.P.Sanjay Gandhi, Govt.Advocate

ORDER

The relief sought in the present writ petition is to direct the respondents to convert the said land from Meikkal Poromboke category to Village Naththam category .

2.Classification of lands have to be made clear based on the nature of the land and also by following the procedures as contemplated. The petitioners are in occupation of the Meikkal Poromboke category land and therefore they are the encroachers. Such encroachers of Meikkal



W.P.No.12437 of 2023

Poromboke category land cannot seek any conversion of the land from Meikkal Poromboke category to Village Naththam category.

3.The petitioners have no right to claim any such conversion merely by submitting a representation. The High Court on directing the authorities to consider the representation would do no service to the cause of justice. If any order is passed, again the petitioner will come back with another writ petition before the High Court and this will result in an anomalous situation. The litigants will lose faith on the justice delivery system if such orders are passed without ascertaining the right of the parties.

4.When the representation of the petitioner reveals that they seek a conversion of Meikkal Poromboke category land to Village Naththam category land, the said claim itself is untenable and the petitioners being the encroachers are liable to be evicted by the competent authorities. Such public land is to be utilised for the welfare of public at large. Thus, the petitioner has not established even assemblance of legal right for the purpose of entertaining the present writ petition.



W.P.No.12437 of 2023

WEB COPY 5. Accordingly, the writ petition stands **dismissed**. However, there shall be no order as to costs.

(sha)

03.07.2023

Index : Yes

Speaking Order

Neutral Citation : Yes

To

1. The Secretary to Government,
Revenue Department,
Secretariat, Chennai-600 009.
2. The District Collector,
Chengalpattu District.
3. The Adi Dravidar Welfare Officer,
Chengalpattu, Chengalpattu District.
4. The Revenue Divisional Officer,
Madhurandhagam, Chengalpattu District.
5. The Tahsildar,
Madhurandhagam,
Chengalpattu District.



WEB COPY



W.P.No.12437 of 2023

S.M.SUBRAMANIAM. J.,

(sha)

W.P.No.12437 of 2023

03.07.2023