



W.P.No.16752 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.16752 of 2023

P.Rajendran

. . . Petitioner

Vs.

1. The Principal Chief Conservator of Forests,
Forest Department,
Government of Tamil Nadu,
Forest Headquarters Building,
Guindy, Chennai-600 032.
2. The Managing Director,
Tamil Nadu Civil Supplies Corporation,
No.12, Thambusamy Road,
Kilpauk, Chennai-600 010.
3. The District Collector,
Namakkal District,
Namakkal.
4. The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Namakkal District,
No.109B, Salem Road,
Namakkal.



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5. The District Revenue Officer,
Namakkal

6. The Revenue Divisional Officer,
Namakkal Division,
Namakkal.

7. The Tahsildar,
Kolli Hills Taluk Office,
Kolli Hills, Namakkal District.

. . . Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus or any other appropriate Writ, Order or Direction in the nature of Writ of Mandamus directing the 3rd respondent to consider the petitioner's representation dated 09.05.2023.

For petitioner	: M/s.C.Santhosh Kumar
For Respondents	: Mr. E.Veda Bagath Singh, Special Government Pleader for R1, R3 & R5 to R7 : Mr.C.Selvaraj for R2 & R4

ORDER

This Writ Petition has been filed for a direction to the 3rd respondent to consider the representation dated 09.05.2023.



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2. Mr.E.Veda Bagath Singh, learned Special Government Pleader

takes notice on behalf of the Respondents 1, 3 & 5 to 7.

3. The property situated in S.No.299, Oorpurampatti, Vaazhavanthinaadu, Kollimalai, Semmedu Taluk, Namakkal District is a Government land wherein, agricultural activities is being carried out for the past 60 years. The said property was originally allotted to the petitioner's grandfather. After his demise, the petitioner's father was in possession of the property. Now, the petitioner is in possession of the property by carrying out cultivation. While so, without issuing any notice to the petitioner, the officials of the Tamil Nadu Civil Supplies Corporation along with the revenue officials inspected and measured the property for constructing a godown/warehouse for storage purpose. Therefore, the petitioner made a representation dated 09.05.2023 to the 3rd respondent seeking to restrain the respondents from taking steps for construction of warehouse. However, till date, no action has been taken on the same. Hence, this Writ Petition has been filed.



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4. Though very many grounds have been raised, however, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the 3rd respondent to consider the representation dated 09.05.2023 made by the petitioner seeking to restrain the respondents from taking steps for construction of warehouse in his property and pass orders on merits within the time that may be stipulated by this Court.

5. Learned Additional Government Pleader appearing for the respondents submits that the petitioner is in possession of the Government land which was originally allotted to his father. Mere allotment will not confer any title to the petitioner.

6. It is evident from the records that the subject property belongs to the Government which was initially allotted in favour of the petitioner's father. After his father, the petitioner is in possession of the same. Merely on the basis of the allotment, the petitioner cannot claim any right over the property belonging to the Government. Hence, the prayer sought for in this Writ Petition cannot be granted.



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8. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

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Index : Yes / No
Internet : Yes / No

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