



W.P.No.21541 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.No.21541 of 2023

Karuppasamy M.

.. Petitioner

Vs

- 1.The Government of Tamil Nadu,
rep. by its Principal Secretary,
Revenue and Disaster Management Department,
Fort St. George,
Chennai-600 009.
- 2.The District Collector,
Erode, Tamil Nadu 638 005.
- 3.The District Revenue Officer,
Erode-638 005.
- 4.The Additional Chief Secretary/Commissioner,
Land Administration,
Chepauk, Chennai-600 009.
- 5.The Adi Dravidar & Tribal Welfare Officer,
Secretariat, Chennai-600 009.



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6.The Thasildar,
Pannersilvam Park,
Erode-638 005.

7.Devi Cotton Mills Private Limited,
rep. by its Managing Director K.Muthuswamy,
Suriyampalayam Village,
R.N.Pudur, Erode-638 005.

8.Artika Cotton Mills Pvt. Ltd.,
rep. by its Managing Director,
33/3, Bhavani Main Road,
Near Platinum Mahal,
Mayapuram, R.N. Pudur Post,
Erode-638 005.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus certiorarified mandamus calling for the records and quashing the proceedings of the first respondent, the Principal Secretary to Government in G.O.(Ms) No.56 dated 1.2.2022, consequently direct the sixth respondent to cancel the patta given to the eighth respondent for the land in Survey No.171/4 of Suriyapalayam Village, Erode in the light of the petitioner's representation dated 24.04.2022.

For the Petitioner	: Ms.T.Sudha Gandhi
For the Respondents	: Mrs.R.Anitha Spl. Government Pleader for respondents 1 to 6



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ORDER

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(Order of the court was made by the Hon'ble Chief Justice)

We have heard Ms.T.Sudha Gandhi, learned counsel for the petitioner and Mrs.R.Anitha, learned Special Government Pleader for respondents 1 to 6.

2. The petitioner challenges the Government Order bearing G.O.(Ms) No.56, Revenue and Disaster Management Department, Land Disposal Wing, LD3(1) Section, dated 1.2.2022. Under the said Government Order, the land in Survey No.171/1 and 171/2 of Suriyampalayam Village in Erode Taluk and District is exchanged in favour of M/s.Artika Cotton Mills in lieu of exchange of their patta land measuring an extent of 5.01 acre in Survey No.238/2 etc. in the same village by fixing double the land value for the Government land. It is also submitted that patta has been granted in respect of land in Survey No.171/4.

3. If the petitioner is aggrieved by the issuance of patta, then the petitioner has to take recourse to the remedy available under the statute for cancellation of patta.



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4. As far as the Government Order is concerned, we do not find any legal ground being made out to challenge the said exchange of land. In the absence of any legal ground being made out, it will not be possible to entertain the challenge to the said Government Order. If any person is being affected by the said exchange of land, then it is for that person to assail the same as may be permissible under law. As such, the present petition filed in the nature of public interest litigation cannot be entertained.

6. With these observations, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.20914, 20935 and 20936 of 2023 are closed.

(S.V.G., CJ.)

(P.D.A., J.)

24.07.2023

Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
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