



W.P.No.22767 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.22767 of 2023

Jayapal

...Petitioner

Vs.

1.The District Collector,
District Collector Office,
Vellore District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Vellore,
Vellore District.

3.The Tahsildar,
Katpadi Taluk Office,
Vellore District.

4.Village Administrative Officer,
Village Administrative Office,
Thonda Thoulasi Village,
Katpadi Taluk,
Vellore District.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to consider the



W.P.No.22767 of 2023

Petitioner's representation to grant the patta in respective agricultural land situated at the porambuku land bearing Survey no.178/1 it extent hectare 0.66.5 situated at Tondan Thoulasi Village, Katpadi Taluk, Vellore District by respondents pursuant to the Petitioner's representation dated 30.06.2023.

For Petitioner : Mr.V.Thiyagarajan

For Respondents : Mr.E.Sundaram
Government Advocate

ORDER

The relief sought for in the present writ petition is to direct the respondents to consider the representation submitted by the petitioner dated 30.06.2023 for grant of patta in respect of agricultural land situated at the Poromboku land bearing Survey No.178/1 to an extent of hectare 0.66.5 situated at Tondan Thoulasi Village, Katpadi Taluk, Vellore District

2. The petitioner states that he is in occupation of the Government Poromboke Land for several years. He is cultivating the lands. It is not in dispute that the petitioner is an ex-serviceman and receiving a decent pension from the Government of India. That apart, he is enjoying the other facilities applicable to the ex serviceman. Still he wants to occupy the Government Poromboke Land to an extent of about 1.63 acres.



W.P.No.22767 of 2023

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3. Mere representation seeking patta cannot be considered by the Court for the purpose of issuing a direction to consider the same. Such a direction would do no service to the cause of the Justice and the litigant will be back again to the High Court by filing another writ petition. Even to entertain a writ petition, the right of the petitioner is to be considered and in the absence of establishing any right, the writ petition is not entertainable.

4. In the present case, admittedly, the petitioner is in occupation of Government Poromboke Land and therefore, he is not entitled to get patta from the authorities competent. The authorities competent are bound to conduct an inspection regarding the Government Poromboke Land and protect the same by utilising the property for the benefit of the public at large.

5. In certain cases, the local authorities are also colluding with the encroachers and causing damage to the Government Poromboke Lands and properties. The District Collector concerned has to initiate all appropriate actions against those officials who are failing to protect the Government



W.P.No.22767 of 2023

property or committing lapses, negligence and dereliction of the duty.

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6. In the present case, the petitioner submitted a representation to grant patta in respect of Government Poromboke Land and the said claim cannot be considered by the competent authority. Thus, the petitioner has not established even a semblance of legal right for the purpose of considering the directions sought for in the present writ petition.

7. With the above observations, the writ petition stands dismissed. No costs.

02.08.2023

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Index: Yes
Speaking Order

To

4/6



W.P.No.22767 of 2023

- 1.The District Collector,
District Collector Office,
Vellore District.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Vellore,
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W.P.No.22767 of 2023

S.M.SUBRAMANIAM, J.

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W.P.No.22767 of 2023

02.08.2023