



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16-08-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.24108 of 2023

And

WMP No.23595 of 2023

R.Ramu

... Petitioner

Vs.

1.The District Collector,
Tirupattur District,
Tirupattur.

2.The Tahsildar,
Tirupattur Taluk,
Tirupattur District.

3.The District Revenue Officer,
O/o.The District Revenue Officer,
Tirupattur Taluk,
Tirupattur District.

... 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 of



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the second respondent in his proceeding vide No.Na.Ka.Aa1/1669/2023 dated nil.06.2023, and to quash the same and consequently, directing the second respondent to cancel the wrongly mentioned in Revenue Records as irrigated land during 1983-8 by UDR Survey, which was mentioned in the Re-Survey and Re-Settlement Register of the Village Record (during the British Rule in 1919) of No.11, Andiyapanur, Tirupattur Taluk, Salem District as Government Poramboke and issue the land patta in the petitioner's name.

For Petitioner : Ms.R.Kalaiyarasi
For Respondents : Mr.E.Sundaram,
Government Advocate.

ORDER

The order passed by the second respondent-Tahsildar rejecting the claim of the writ petitioner for grant of patta in proceeding dated nil.06.2023, is under challenge in the present writ petition.

2. The petitioner states that he is in possession and enjoyment of the subject property, which is classified as 'Government Poramboke'. The



father of the writ petitioner was retired from Indian Army and after his death, the writ petitioner is in continuous possession of the Government Poramboke comprised in Survey No.700, measuring to an extent of 2.37 acres, situated at Andiyapanur Village, Vaniyambadi Taluk, Tirupattur District.

3. Even as per the petitioner, he is in possession of the Government Poramboke land.

4. The learned Government Advocate, appearing on behalf of the respondents, made a submission that the application submitted by the petitioner for grant of patta, was considered by the Competent Authorities.

5. On verification of the revenue records, it was ascertained that the land under the occupation of the petitioner, is a 'Water Body' and classified as 'Government Poramboke Vary'.

6. Thus the petitioner is in possession of the 'Water Body' and as per the orders of the Courts, such 'Water Bodies' cannot be assigned nor



patta can be granted by the Revenue Authorities.

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7. The Revenue Authorities have now ascertained that the land under the occupation of the petitioner is 'Water Body' and thus, the petitioner is liable to be evicted from the said 'Water Body'.

8. Thus the respondents are directed to initiate all further actions and complete the same, within a period of four weeks from the date of receipt of a copy of this order.

9. With the above directions, the present writ petition stands dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is also dismissed.

16-08-2023

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

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Tirupattur District.
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S.M.SUBRAMANIAM, J.

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