



WEB COPY

W.P.No.26124 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.26124 of 2023

T.Elumalai

... Petitioner

Vs.

- 1.The District Collector,
Villupuram District,
Villupuram.
- 2.The District Revenue Officer,
District Revenue Office,
Villupuram District,
Villupuram – 605 602.
- 3.The Revenue Divisional Officer,
Revenue Divisional Office,
Villupuram Division, Villupuram Taluk,
Villupuram – 605 602.
- 4.The Tahsildar,
Villupuram Taluk Office,
Villupuram – 605 602.
- 5.The Block Development Officer,
Block Development Office,
Panampattu,
Villupuram – 605 103.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to dispose the petitioner representations dated 15.11.2021 and 14.08.2023 to restore the petitioner agriculture land situated in Villupuram District, Villupuram Taluk, Thalavanur Village comprised in Punjai S.No.120/1B bearing Patta No.224 measuring an extent of 120 Cent by removing Black Stones, Sand Bags and Woods put by the 4th respondent.

For Petitioner	: Mr.P.Jayachandran
For R1 to R4	: Mr.T.Arun Kumar Additional Government Pleader
For R5	: Mr.P.Ananda Kumar Government Advocate

ORDER

The relief sought for in the present writ petition is to direct the respondents to dispose of the petitioner's representations dated 15.11.2021 and 14.08.2023 to restore the petitioner's agricultural lands situated in the Villupuram District, Villupuram Taluk, Thalavanur Village comprised in Punjai S.No.120/1B bearing Patta No.224 measuring an extent of 120 Cent by removing Black Stones, Sand Bags and Woods put by the 4th respondent.



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2. On instructions, the learned Additional Government Pleader appearing on behalf of the respondents 1 to 4 made a submission that a Government School is situated near the river bank. The Authorities have initiated steps to construct compound wall to protect the School building and in the interest of the children studying the Government School.

3. During flood season, sand bags are stored to prevent entry of water from the river. Thus, the actions initiated are to protect the School building and the children and also people residing in the nearby locality. The compound wall is under construction in Survey No.122/2B and the said land does not belong to the petitioner and vests with the Government. An adjacent land in Survey No.122/1 measuring 18.5 ares is a Government poromboke land being cultivated illegally by some third parties. The competent authorities have already initiated action to evict the encroachers and resume the Government Poromboke lands, which are to be utilised for public purposes. The land is being illegally cultivated by one Mr.Kesavan and the authorities have already initiated action to evict the said Kesavan from the Government Poromboke land.



4. As far as the grievances of the writ petitioner are concerned only during the flood season sand bags are kept for the purpose of safe guarding the children studying in school and people residing in the nearby locality. That being the factum, by directing the authorities to consider the representation would do no service to the cause of justice and the petitioner is also expected to understand the grievance of the people, who are residing in the nearby locality and to consider the plight of the school building and children studying in the Government Schools.

5. With these observations, this Writ Petition stands dismissed. No costs.

12.09.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes



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