



WEB COPY

W.P.No.31997 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.31997 of 2017
and
W.M.P.No.35153 of 2017

Marudambal

... Petitioner

Vs.

1.The District Collector,
Villupuram District,
Villupuram.

2.The District Revenue Officer,
Villupuram District,
Villupuram.

3.The Revenue Divisional Officer,
Tirukoilur,
Villupuram District.

4.The Tahsildar,
Ulundurpet,
Villupuram District.

5.Akbar

... Respondents



Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to conduct an enquiry with respect to the assignment of land in R.S.No.822/11 in Melapalayam Village, Pidagam Madura, Elvanasurkottai, Ulundurpet Taluk, Villupuram District, on granting adequate opportunity to the petitioner to submit her objections as per the notice dated 25.10.2017 issued on behalf of the petitioner.

For Petitioner	: M/s.R.Meenal
For R1 to R4	: Mr.P.Sanjay Gandhi, Government Advocate
For R5	: Not ready in notice

ORDER

The writ petition has been filed for directing the respondents 1 to 4 to conduct an enquiry with respect to the assignment of land in R.S.No.822/11 in Melapalayam Village, Pidagam Madura, Elvanasurkottai, Ulundurpet Taluk, Villupuram District, by granting adequate opportunity to the petitioner to submit her objections as per the notice dated 25.10.2017 issued on behalf of the petitioner.



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2. The petitioner states that the subject property assigned by the Government and the 5th respondent is also setting a counter in respect of the property.

3. The learned counsel for the petitioner made a submission that the Civil Suit in O.S.No.268 of 2022 is pending. The Suit was instituted for declaration and permanent injunction. While so, the present writ petition is not entertainable. As far as the Government land is concerned, the authorities have not initiated any action so far. In the event of violation of the conditions stipulated in the amendment, then the authorities are empowered to initiate appropriate action by following the procedures. Further, in the present case, no such action has been initiated against the petitioner and thus, the writ petition filed merely based on the apprehension is not entertainable. The petitioner has rightly instituted a Civil Suit, which is to be pursued in the manner contemplated.



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4. With these observations, the writ petition stands dismissed.

Consequently, the connected miscellaneous petition is closed. No costs.

13.07.2023

skr

Index : Yes

Speaking order

Neutral Citation : Yes

To

- 1.The District Collector,
Villupuram District,
Villupuram.
- 2.The District Revenue Officer,
Villupuram District,
Villupuram.
- 3.The Revenue Divisional Officer,
Tirukoilur,
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- 4.The Tahsildar,
Ulundurpet,
Villupuram District.



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S.M.SUBRAMANIAM, J.

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