



W.P. No.323 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2023

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P. No.323 of 2023

G.Rajkumar

... Petitioner

versus

1.The Executive Officer,
Special Grade Municipality Office, Velangani,
Keezhvelur Taluk, Velankani,
Nagapattinam.

2.V.Anthonysamy
Respondents

...

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to consider the representation made by the petitioner dated 27.08.2019 and dispose of the same on merits.

For the Petitioner : Ms.Sinduza M.S.

For the Respondents : Mrs.R.Anitha,
Special Government Pleader
for the first respondent



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ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner has filed this writ petition for a writ of mandamus directing the first respondent to consider the representation made by the petitioner dated 28.08.2019 and dispose of the same.

2. Learned counsel for the petitioner would submit that the land in S.No.16/10, Ward No.14, Sebasthiyar Nagar, Velanganni Municipality is classified as grama natham. The second respondent obtained patta for the said land vide order issued by the Special Deputy Collector, Revenue Court, Thiruvarur, dated 28.10.1997, for the purpose of residential use. After obtaining patta, the second respondent initially constructed a hut. Later, he changed the hut into a RCC building by obtaining permission from the concerned authorities. Now, the second respondent has turned the RCC Building into a lodge and the same is being used for commercial purpose. Therefore, the petitioner has sent a representation to the first respondent, dated 27.08.2019. However, there was no response from the first respondent. Hence, the present writ petition has been filed.



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3. We do not find any merits or iota of justification to entertain this writ petition for the reason that the petitioner himself has admitted that the land in question is a grama natham. Moreover, the second respondent has obtained necessary patta from the Special Deputy Collector, Thiruvavur and put up a hut. Later, with permission of authorities, he has changed the hut into a RCC building. The allegation of the petitioner that the second respondent has put up a lodge cannot be gone into in this writ petition, without any material evidence.

4. The writ petition fails and the same is dismissed. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
06.01.2023

Index : Yes/No
Neutral Citation : Yes/No
tar

To
The Executive Officer,
Special Grade Municipality Office, Velankani,
Keezhvelur Taluk, Velankani,
Nagapattinam.



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T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY, J.

(tar)

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