



W.P(MD)No.7793 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2023

CORAM:

**THE HON'BLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HON'BLE MRS JUSTICE L.VICTORIA GOWRI**

**W.P(MD)No.7793 of 2021
and
W.M.P(MD)Nos.5933 and 5934 of 2021**

S.Raju

:Petitioner

.VS.

- 1.The District Collector,
Madurai.
- 2.The District Revenue Officer,
Madurai.
- 3.The Revenue Divisional Officer,
Madurai.
- 4.The Tahsildar,
Vadipatty Post and Taluk,
Madurai District.
- 5.The Block Development Officer,
Office of the Panchayat Union,
Alanganallur Post,
Vadipatty Taluk,
Madurai District.

6.G.Chellasamy

: Respondents



W.P(MD)No.7793 of 2021

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent in Ni.Mu.No.799/2016/G5, dated 31.07.2018 and quash the same as illegal and arbitrary and in consequence thereof restore S.No.182/6 of Alagupuri Village, Vadipatty Taluk, Madurai as road in revenue records.

For Petitioner : Mr.P.Ganapathi Subramanian
For R1 to R5 : Mr.P.Thilakkumar
Government Pleader
For R6 : Mr.R.Manoharan

ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

It is the grievance of the petitioner that the District Revenue Officer had corrected the revenue records without any basis and converted the land that was classified as road into private patta land.

2.This Court, on 23.06.2021, had directed the District Revenue Officer to file a report offering his explanation for entering said conversion and on the basis on which, he had entered such conversion.



W.P(MD)No.7793 of 2021

Pursuant to the said direction, the Revenue Divisional Officer has filed an affidavit on 19th August 2021, wherein he has stated that source and on the basis of which, the said conversion was ordered. It is stated that in the revenue records, earlier even in the year 1919, the land in Survey No.182/6 was shown as patta land and not as Government poramboke cart-track. It is also stated that the land in Survey No.182/5 was shown as cart-track.

3.In the light of the explanation offered in the affidavit, we do not think that we can interfere under Article 227 of Constitution of India. The writ petition is, therefore, dismissed leaving it open to the petitioner, if he is still aggrieved, to approach the appropriate Civil Court and establish his claim that the land was used as a road or it remains the road. No costs. Consequently, connected miscellaneous petitions are closed.

[R.S.M.,J.] & [L.V.G.,J.]
06.03.2023

NCC : Yes/No
Index :Yes/No
Internet :Yes/No
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3/5



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R.SUBRAMANIAN, J.

AND

L.VICTORIA GOWRI, J.

cp

ORDER MADE IN

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