



W.P(MD)No.11000 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 01.06.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN**

**W.P(MD)No.11000 of 2023**

Suba.Muthukumar

... Petitioner

Vs.

1.The District Collector,  
Sivagangai District,  
Sivagangai.

2.The Tahsildar,  
Karaikudi Taluk Office,  
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation, dated 16.12.2021 and to direct to maintain the survey No.182/2, Marungipatti (Village), Plar (Post), Karaikudi Taluk, Sivagangai District for an agriculture purpose.

For Petitioner : Mr.P.Muthusamy

For Respondents : Mr.N.Muthu Vijayan  
Special Government Pleader



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## **ORDER**

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This writ petition has been filed in the nature of a mandamus, seeking for a direction particularly to the second respondent / Tahsildar, Karaikudi in Sivagangai District, to consider the representation dated 16.12.2021 given by the petitioner herein seeking to maintain the land in S.No.182/2, at Marungipatti (Village), Plar (Post), Karaikudi Taluk, Sivagangai District, only for agricultural purposes.

2. It is pointed out by the learned Special Government Pleader that the land has been wrongly described by the petitioner as S.No.182/2. It is stated that the actual land for which the petitioner seeks relief is S.No.185/2.

3. The learned Special Government Pleader has also forwarded the classification of the lands in S.No.185/2 and it is classified as 'அரசு புறம்போக்கு / கலம்'. The petitioner cannot claim any right title or interest over the said land. It is exclusively under the purview of the revenue department. It is also pointed out by the learned special Government Pleader that by filing the writ petition, innocuously the petitioner is trying to encroach into the land and also claim title. He had also apparently put up fences around the land. This is not permissible. It has to be prevented.



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4. The land which is classified as Arasu Poromboke and Kalam Poromboke will have to be retained only as that and cannot be used for private purposes by the petitioner herein. A Mandamus therefore, cannot be issued in this regard as the land vests only with the second respondent/ Tahsildar / representative of the revenue in that particular area.

5. With the above observation, this Writ Petition is dismissed. There shall be no order as to costs.

**01.06.2023**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes/ No

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**C.V.KARTHIKEYAN, J.**

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To

- 1.The District Collector, Sivagangai District, Sivagangai.
- 2.The Tahsildar, Karaikudi Taluk Office, Sivagangai District.

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