



W.P(MD)No.15887 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.15887 of 2023

S.K.L.Bose

... Petitioner

Vs.

- 1.The Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai – 5.
- 2.The District Collector,
Sivagangai,
Sivagangai District.
- 3.The District Revenue Officer,
Sivagangai,
Sivagangai District.
- 4.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.
- 5.The Tahsildar,
Kalaiyarkovil Taluk,
Sivagangai District.



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6.The Village Administrative Officer,
Somanathamangalam Village,
Kalaiyarkovil Taluk,
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 3 and 4 to instruct the fifth respondent to restore the patta in the name of Kaleeswaranpillai grandfather of the petitioner in respect of land in Survey No.22 situated at Somanathamangalam Village, Kalaiyarkovil Taluk, Sivagangai District and consequently direct the respondents to issue patta in the name of the petitioner along with his brother within a time frame fixed by this Court.

For Petitioner : Mr.V.Manikandan

For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

Heard both sides.

2. The petitioner seeks issuance of patta. The Tahsildar, Kalaiyarkovil Taluk has taken the stand that since the land in question has been classified as “water body”, the petitioner’s request cannot be accepted. This is the instruction given the learned Special Government



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Pleader before this Court. Copy of the said communication has been served on the learned counsel appearing for the petitioner also. The petitioner's counsel relies on certain other records to show that the petition mentioned survey number is not a water body.

3. The petitioner has already given a petition to the Revenue Divisional Officer, Sivagangai. The Revenue Divisional Officer, Sivagangai is directed to hold an enquiry on the petitioner's representation dated 18.05.2022 and pass final order on merits and in accordance with law within a period of ten weeks from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter.

4. This writ petition is disposed of accordingly. There shall be no order as to costs.

17.11.2023

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

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G.R.SWAMINATHAN, J.

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