



WEB COPY

W.P.(MD) No.16856 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.07.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.P.(MD) No.16856 of 2023
and
W.M.P.(MD) No.14099 of 2023**

- 1.M.Veerappan
- 2.M.Pichaiammal
- 3.S.Mariyappan
- 4.M.Periyasamy
- 5.S.Mahalingam
- 6.I.Seeniyammal
- 7.T.Ramasundaram
- 8.M.Vellaichamy
- 9.A.Ramalazhu
- 10.S.Kovilkannu
- 11.G.Gurusamy
- 12.N.Palsamy
- 13.V.Palsamy
- 14.K.Sundaram

... Petitioners



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-VS-

- 1.The District Collector
O/o.District Collector
Virudhunagar
Virudhunagar District
- 2.The District Revenue Officer
O/o.District Revenue Officer
Virudhunagar
Virudhunagar District
- 3.The Revenue Divisional Officer
Revenue Divisional Office
Sivakasi, Virudhunagar District
- 4.Grizzled Squirrel Wildlife Sanctuary
rep.by its Wildlife Warden
Madurai Road
Pillaiyarnatham Post
Srivilliputhur-626 101
- 5.District Forest Officer
Virudhunagar District
Social Forestry Division
District Collector Office Campus
Virudhunagar-626 002
- 6.The Tasildar
O/o.Tasildar
Rajapalayam Taluk
Virudhunagar District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records pertaining to the impugned order in memo No.O.MU.AA 5/5370/2023, dated 15.06.2023, on



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the file of the sixth respondent and quash the same as illegal and consequently forbear the respondents from forcibly evicting, destroying standing trees and interfering with peaceful possession without following due process of law from the land in possession of the petitioners in an extent of 1 Acre 60 Cents for each person situated in Survey No.1083/2B-1 located in Ayankollan Kondan Revenue Village, Rajapalayam Taluk, Virudhunagar District and consequently directing the respondent to consider the petitioner's representation dated 12.06.2023 and 22.06.2023 for grant of Patta.

For Petitioner : Mr.T.Lajapathi Roy, Senior Counsel
assisted by Mr.S.Lenin Prabu

For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

[Order of the Court was made by S.S.SUNDAR, J.]

Mr.M.Lingadurai, learned Special Government Pleader, takes notice for the respondents.

2. With the consent of both sides, this writ petition is taken up for final hearing at the admission stage itself.



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procedures, as the entire land comes within the area identified as “Srivilliputhur Megamalai Tiger Reserve”.

6. This Court in the present writ petition need not consider as to how the subject land is going to be used. Further, this Court finds no material or any right in favour of the petitioners to seek assignment of a Government land, merely because they are in possession of the same for a long number of years. Therefore, the petitioners are not entitled to the relief sought for. However, the possession of the petitioners cannot be disturbed or interfered with, otherwise than due process of law.

7. With the above observations, this writ petition is disposed of. Needless to state that this order will not stand in the way of the Government deciding in favour of the petitioners to implement any scheme, like, organic farming. No costs. Consequently, connected miscellaneous petition is closed.

[S.S.S.R., J.]

[D.B.C., J.]

13.07.2023

(2/2)

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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Virudhunagar District.
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