



WP(MD)Nos.11631 to 11635/2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)Nos.11631 to 11635/2014

Singamuagam	...Petitioner in WP(MD)No.11631/2014
K.Muniyappan	...Petitioner in WP(MD)No.11632/2014
K.Kumar	...Petitioner in WP(MD)No.11633/2014
K.Arumugam	...Petitioner in WP(MD)No.11634/2014
M.Durai Raj	...Petitioner in WP(MD)No.11635/2014

Vs

- 1.The Tamil Nadu Government,
Represented by its Chief Secretary,
Secretariat, Chennai.
- 2.The Forest Project Officer,
Forest Project Office,
Sivagangai District.
- 3.The District Collector,
Sivagangai District,
Sivagangai
- 4.The Tahsildar,
Devakottai Taluk,
Devakottai,
Sivagangai District.



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5. The Special Deputy Agricultural Director,
Ramnad Coconut Development Office,
Ramanathapuram.

...Respondents in all petitions

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the third respondent in Na.Ka.P2/33839/2012 dated 04.06.2014 and quash the same and consequently direct the respondents to grant assignment and patta to the petitioners for the lands in S.No.1/9 measuring an extent of 4 acres 81 cents, S.No.1/79 measuring an extent of 4 acres 20 cents, S.No.1/80 measuring an extent of 4 acres 70 cents, S.No.1/14 measuring an extent of 4 acres 85 cents and S.No.1/69 measuring an extent of 3 acres 60 cents respectively in Kurunthur Village, Naranamangalam Group, Devakottai Taluk, Sivagangai District.

For Petitioners in all petitions : Mr.A.Haja Mohideen

For Respondents in all petitions : Mr.J.K.Jayaseelan,
Government Advocate

COMMON ORDER

The petitioners in all the writ petitions claim patta for the lands in S.No.1/9 measuring an extent of 4 acres 81 cents, S.No.1/79 measuring



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an extent of 4 acres 20 cents, S.No.1/80 measuring an extent of 4 acres 70 cents, S.No.1/14 measuring an extent of 4 acres 85 cents and S.No. 1/69 measuring an extent of 3 acres 60 cents respectively in Kurunthur Village, Naranamangalam Group, Devakottai Taluk, Sivagangai District, stating that they are in peaceful possession and enjoyment of the same. They were not granted patta for the said properties and therefore, the petitioners have submitted representations to the respondents on 01.12.2012. Since the representations were not considered by the respondents, the petitioners approached this Court for a mandamus directing the District Collector, Sivaganai to consider their representations and pass orders in accordance with law. This Court, by an order dated 03.04.2013 in WP(MD)Nos.29 to 32, 326 to 329 and 501 to 508/2013 has directed the District Collector, Sivagangai to consider the representations of the petitioners and dispose the same on merits and in accordance with law. This Court has further directed the District Collector, Sivagangai not to consider the direction issued for considering the representations as a positive direction to issue patta and also permitted the petitioners to submit fresh representations. Pursuant to the order passed by this Court on 03.04.2013, the District Collector has passed an order rejecting the request of the petitioners in light of the



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orders of the Honourable Supreme Court in WP.No.202/1995 and held that the lands sought to be assigned with patta are Reserved Forest lands.

Aggrieved over the rejection order, these writ petitions are filed.

2. The learned counsel appearing for the petitioners submits that the lands claimed by the petitioners are not forest lands. However, the District Collector, Sivagangai has wrongly referred the lands as forest lands and rejected the request of the petitioners.

3. The learned Government Advocate appearing for the respondents produced the 'A' Register and submitted that the subject lands are forest lands.

4. Though the petitioners claim that the lands are not forest lands, they have not produced any material to prove the same. On the other hand, the District Collector, Sivagangai in his proceedings has recorded that the lands in S.No.1/1 of the Kurunthur Village are classified as forest lands. The learned Government Advocate has also produced the 'A' Register to prove that the lands are classified as forest lands. Therefore, this Court is not inclined to grant the prayer sought for by the petitioners



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and these writ petitions are dismissed. However, it is open to the petitioners to establish their rights in the manner known to law before the competent Court. No costs.

20.03.2023

NCC: Yes / No
Index :Yes / No
Speaking Order : Yes / No

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To

- 1.The Chief Secretary,
The Tamil Nadu Government,
Secretariat, Chennai.
- 2.The Forest Project Officer,
Forest Project Office,
Sivagangai District.
- 3.The District Collector,
Sivagangai District,
Sivagangai
- 4.The Tahsildar,
Devakottai Taluk,
Devakottai,
Sivagangai District.
- 5.The Special Deputy Agricultural Director,
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B.PUGALENDHI, J.

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