



**W.P.(MD)No.19716 of 2014**

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

**DATED: 21.09.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P.(MD)No.19716 of 2014**

Thangamari

... Petitioner

Vs.

1.The District Collector,  
Virudhunagar District,  
Virudhunagar - 626 003.

2.The Revenue Divisional Officer,  
Aruppukottai - 626 101.

3.The Revenue Tahsildar,  
Kariapatti Taluk,  
Kariapatti – 626 106,  
Virudhunagar District.

4.V.Mariappan

5.M.Pahaathaal

... Respondents

**Prayer:** Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 1 to 3 from proceeding with the conversion of the Government lands bearing Survey Nos. 12/1, 12/23 and 12/25 in Keezha Uppiligundu Village,



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Kariapatti Taluk, Virudhunagar District, into any other classification and for assignment of those lands in favour of the respondents 4 and 5 under the guise of providing for the alternative lands to extent of 65 cents in Survey No.7/1A, 7/2 and 7/4 in Keezha Uppiligundu Village, Kariapatti Taluk, Virudhunagar District, by considering the representation dated 08.08.2014 made by the petitioner to the respondents 1 to 3, within a time frame as may be fixed by this Court.

For Petitioner : No Appearance

For Respondents : Mr.S.RA.Ramachandran  
Additional Government Pleader  
for R.1 to R.3

Ms.Vijayakumari Natarajan  
for R.4 and R.5

### **ORDER**

None appears for the writ petitioner. Heard the learned Additional Government Pleader appearing for the official respondents and the learned counsel appearing for the contesting private respondents.

2. The local body laid road on the patta land. It belonged to family of the petitioner and the fourth respondent. It is not as if the fourth respondent was the exclusive owner. The local body



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proposed to give alternative cite. The petitioner's case is that his rights cannot be ignored. It is seen that a partition suit was filed and decree was passed and that appeal is presently pending.

3. I make it clear that whatever alternative offer is made, it will take note of the rights of the petitioner as determined in the decree for partition. In other words, the petitioner may not be excluded while compensating the fourth respondent for having laid the road on the patta land.

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

**21.09.2023**

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

To

1.The District Collector,  
Virudhunagar District,  
Virudhunagar - 626 003.



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2.The Revenue Divisional Officer,  
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3.The Revenue Tahsildar,  
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Kariapatti – 626 106,  
Virudhunagar District.

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