



W.P(MD)No.14373 of 2015

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.14373 of 2015

A.Angel Lourdu Selvam

... Petitioner

Vs

1.The State represented by
The Principal Secretary,
Home Department,
Secretariat,
Chennai.

2.The State represented by
The Principal Secretary,
Revenue Department,
Secretariat,
Chennai.

3.The District Collector,
Sivagangai District,
Sivagangai.

4.Elango

5.Pitchappa

6.Gangadevi

7.Karthiyayani

8.Maheswaran

9.Manimaran

10.Ravi



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11.Ganesan
12.Pannerselvam
13.Shanthasuraupan
14.Subramanian
15.V.Arokiyasamy

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to take departmental action against the respondents 4 to 14 and directing the respondents 4 to 15 to pay compensation of Rs.10,00,000/- for indulging in illegal activities, tampering of records, misusing official capacity against the petitioner and causing mental agony.

For Petitioner : Ms.M.Rajeswari

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

No Appearance
for R.4, R.6, R.7, R.8, R.12 & R.13

ORDER

The learned counsel appearing for the writ petitioner informs the Court that the bundle had been returned to the writ petitioner long back. The writ petitioner however has not made any alternative arrangements.

2. I went through the contents of the affidavit filed in support of the writ petition. The case of the petitioner is as follows:



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She purchased the property comprised in Survey No.197/14A1 measuring 3177 sq.ft vide sale deed dated 10.11.2010 from one Agnes wife of Arokiyam @ Arokiasamy and others. After purchase of the property, she obtained patta in her name. Thereafter, Arokiasamy sought cancellation of the patta issued in favour of the petitioner. Though enquiry was proposed to be conducted, it was not conducted. However, patta was issued in favour of the petitioner was cancelled and it was issued to Arokiasamy vide dated 26.08.2014. In the meanwhile, Arokiasamy filed O.S.No.158 of 2012 on the file of District Munsif Court, Sivagangai for declaration that the sale deed dated 10.11.2010 executed in favour of the petitioner was null and void. The allegation of the petitioner is that the said Arokiasamy is a politically influential person and the official respondents have misused their power to oblige him. For this reason, the present writ petition has been filed for taking departmental action against the respondents 4 to 14 for payment of compensation.

3. The 12th respondent alone has filed counter affidavit.

4. On going through the affidavit and the materials placed by the writ petitioner, I am satisfied that the writ petition cannot be entertained. If the petitioner is aggrieved by the cancellation of her patta, her remedy is to go before the higher authority such as Revenue Divisional Officer or District



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Revenue Officer. It is also seen that the said Arokiasamy has filed civil suit in O.S.No.158 of 2012. The petitioner has to defend the same. It is a pure civil dispute between two private individuals. The petitioner has sought to give a different colour altogether.

5. This writ petition is not maintainable. It stands dismissed. There shall be no order as to costs.

12.07.2023

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

To

1.The Principal Secretary,
Home Department,
Secretariat,
Chennai.

2.The Principal Secretary,
Revenue Department,
Secretariat,
Chennai.

3.The District Collector,
Sivagangai District,
Sivagangai.

4.The District Munsif Court,
Sivagangai.



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G.R.SWAMINATHAN, J.

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