



W.P.(MD)No.2643 of 2016

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :23.03.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.2643 of 2016
W.M.P(MD).Nos.2347 and 2348 of 2016

M.Karuthamuthu

Vs.

... Petitioner

1.The District Collector,
Ramanathapuram,
Ramanathapuram District.

2.The Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.

3.M.Majeed, Muthavalli
Palayendal Muslim Jamad Pallivasal,
Muslim Morekulam,
Keelakarai Taluk,
Ramanathapuram District.

4.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.I, Jaffar Chirang Street,
Vallal Seethaikathi Nagar,
Chennai-1.

... Respondents



W.P.(MD)No.2643 of 2016

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the second respondent in his proceedings in Mu.Mu.No.A4/3430/2015 dated 19.11.2015 and quash the same and consequently, forbearing the respondents from in any way disturbing, interfering or encroaching the extent and possession and enjoyment of the land bearing S.No.179, situated at Keelathilaiyendal Village, Pallamorekulam Group, Keelakarai Taluk, Ramanathapuram District, by taking advantage of the second respondent's order in M.C.Mu.Mu.A4/3430/2015 dated 19.11.2015.

For Petitioner	:Mr.K.Seemaraj
For Respondent	:Mrs.D.Farjana Ghoushia Special Government Pleader for R1 and R2 Mr.K.K.Senthil for R4 No-appearance for R3

ORDER

The petitioner assails an order dated 19.11.2015 of the second respondent in relation to the lands situated at Survey Nos.263 and 179.



W.P.(MD)No.2643 of 2016

WEB COPY

2. Learned Special Government Pleader has placed before me a communication dated 21.03.2023 by which the second respondent has set out the current status of lands in the above mentioned two survey numbers. As regards Survey No.263, it is stated that the compound wall has been built. As regards Survey No.179, although the lands are classified as Government Poramboke lands, it is stated that the lands were sub-divided and that patta was issued to 18 persons. It is further stated that the remaining land is vacant.

3. Learned counsel appearing for the petitioner states that the petition was filed in view of the endeavor by the third respondent to encroach into adjoining lands.

4. On examining the impugned order, I find that the second respondent has concluded that the two parcels of land are separate and there is no impediment to construct the compound wall. Pursuant thereto, such compound wall has also been constructed and, therefore, the apprehension of the petitioner that the third respondent would encroach into adjoining



W.P.(MD)No.2643 of 2016

lands has been effectively allayed. As such, the petitioner has no cause to complain about the impugned order.

5. W.P(MD).No.2643 of 2016 is disposed of by taking note of the above developments without any order as to costs. Consequently, connected miscellaneous petitions are closed.

23.03.2023

NCC :No
Internet :Yes
Index :No
ssb

To

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Page 4 of 6



W.P.(MD)No.2643 of 2016

WEB COPY

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W.P.(MD)No.2643 of 2016

SENTHILKUMAR RAMAMOORTHY, J.

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W.P.(MD)No.2643 of 2016

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