



W.P.(MD)No.25913 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)No.25913 of 2023

and

W.M.P.(MD)No.22257 of 2023

Shri Ram Nursery and Primary School,
Rep. by its Correspondent,
R.Priyadharsini

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. through its Secretary,
Department of Revenue,
St.George Fort, Chennai.

2.The District Collector,
Collectorate,
Virudhunagar District.

3.The District Revenue Officer,
District Revenue Office,
Virudhunagar District.

4.The Tahsildar,
Rajapalayam Taluk, Virudhunagar District.

...Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned order passed by the 4th respondent in his proceedings in Oo.Mu.A5/5687/2023, dated 07.09.2023 and quash the same as illegal and further to direct the 4th respondent to pass appropriate orders in issuing patta in the petitioner's name for the Survey No. 1388/1 to an extent of 0.0399.0 sq.mtrs (10 cents) in Cholapuram II Village, Rajapalayam Taluk, Virudhunagar District within a time stipulated by this Court.

For Petitioner : Mr.V.Meenakshi Sundaram

For Respondents : Mr.S.P.Maharajan,
Special Government Pleader

ORDER

(Order of the Court was made by ***V.LAKSHMINARAYANAN, J.***)

The Government has refused to assign the land to the extent of 399 sq.mt in favour of the writ petitioner. That is put to challenge before us. It is entirely the discretion of the Government whether it wants to assign land in favour of a person or not. There cannot be any Mandamus or a direction to the Government to assign the property, which admittedly belongs to it. By the order of the Writ Court a person cannot get the property, which belongs to any other person in his favour. Therefore, the petitioner has no right to assail the order.



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2. Accordingly, this Writ Petition stands dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (V.L.N., J.)

22.11.2023

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NCC : Yes / No

Index : Yes / No

Internet : Yes / No

Yuva

To

1. The Secretary,
State of Tamil Nadu,
Department of Revenue,
St. George Fort, Chennai.
2. The District Collector,
Collectorate, Virudhunagar District.
3. The District Revenue Officer,
District Revenue Office,
Virudhunagar District.
4. The Tahsildar,
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S.M.SUBRAMANIAM, J.

AND

V.LAKSHMINARAYANAN, J.

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