



W.P.No.6596 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No. 6596 of 2024

D.Murugan

... Petitioner

versus

1. The District Collector,
District Collectorate,
Jayakondam Road,
Ariyalur District – 621 704.

2.The Revenue Divisional Officer,
Udaiyaar Paalaiyam,
Ariyalur District.

3.The Block Development Officer (Village Panchayat),
Sendurai Union,
Ariyalur District.

4.Nallathambi

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent to consider the representation of the petitioner dated 05.08.2023 and to pass appropriate orders on merits and in accordance with law within a time frame fixed by this Court.

Pg.Nos.1/6



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For Petitioner : Mr.G.Ilamurugu
For Respondents : Mr.T.Arun Kumar
Additional Government Pleader
for R1 and R2

Mr.A.Selvendran
Special Government Pleader for R3

ORDER

Mr.T.Arun Kumar, learned Additional Government Pleader accepts notice for respondents 1 and 2 and Mr.A.Selvendran, learned Special Government Pleader accepts notice for the third respondent. Since this writ petition is being disposed of without passing any adverse orders against the fourth respondent, affecting his interest, notice to the fourth respondent is dispensed with.

2. This writ petition has been filed seeking for issuance of a writ of mandamus, directing the first respondent to consider the representation of the petitioner dated 05.08.2023, and to pass appropriate orders on merits and in accordance with law.



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3. The learned counsel for the petitioner submitted that the petitioner was issued with an Assignment Patta for an extent of 0.01.0 ares (2.47 cents) in S.No.356/2 in Block No.356/21 at Manukudiyar Madura Marakuruchi Village, Senthurai Taluk under G.O.No.2141/06-09-1966 dated 07.09.2021. While so, the petitioner applied for approval to construct concrete house in the said land, under Dr.Kalaingar Housing Scheme 2010-2016, but the petitioner's application was rejected stating that the said land does not come under Natham Land. In the mean while, the fourth respondent herein and others are trying to encroach the petitioner's land, hence, the petitioner has given a representation to the first respondent on 05.08.2023, in and by which, he sought for conversion of Assignment Patta into regular patta (Natham Patta) and to take action against the encroachment of the subject land by the fourth respondent herein.

4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for respondents 1 and 2 and the learned Special Government Pleader appearing the third respondent and perused the materials available on record.

Pg.Nos.3/6



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5. It is seen from the records that the dispute between the petitioner and fourth respondent herein is purely civil in nature, which has to be agitated and adjudicated upon only before the Competent Civil Forum. Therefore, I find that the present writ petition is totally misconceived. Thus, the writ petition fails and the same is dismissed. However, the petitioner is at liberty to work out his remedy before the Competent Civil Forum. There shall be no order as to costs.

14.03.2024

Index: Yes/No
Speaking Order : Yes/No
Neutral Citation Case : Yes/No
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P.VELMURUGAN, J.
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