



W.A.No.1424 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **05.06.2024**

CORAM:

THE HONOURABLE MR.**JUSTICE R.SUBRAMANIAN**

AND

THE HONOURABLE MR.**JUSTICE R.SAKTHIVEL**

Writ Appeal No.1424 of 2024

1. Mrs.S.Suja

2.Mrs.Thamarai Selvi

3. Mr.C.Loganathan

4. Mrs.Lakshmi

5. Mr. R.Dhamodharan

..Appellants

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary of Government,
Department of Revenue,
Fort St. George, Chennai 600 009.

2. The State of Tamil Nadu,
Rep. by its Secretary of Government,
Department of Public Works,
Fort St. George, Chennai 600 009.

3. The District Collector,
Office of the District Collector,
Chennai.



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4. The Tanshildar,
Tambaram Taluk,
Chennai 600 064.

5. The Assistant Engineer,
Public Works Department,
Padappai.

.. Respondents

Prayer: Writ Appeals filed under Clause 15 of Letters Patent, against the order passed by this Court dated 11.07.2023 passed in W.P. No.19908 of 2023.

For Appellant : Mr.C.Umashankar

For Respondents : Mr.A.Selvandran
Special Government Pleader

J U D G M E N T

(Judgment of the Court was delivered by R.SUBRAMANIAN, J.)

The appellants were aggrieved by the dismissal of the Writ Petition praying for a Mandamus directing the respondents to consider the representation dated 22.05.2022 and 09.01.2023 and put them in possession



of the land in Survey No.182/2 of an extent of 20 cents of Chitlapakkam Village and also to grant patta to them to the said land.

2. It is the grievance of the petitioners that they were evicted from their habitation on the ground that the land has been classified as Eri-Poramboke. Mr.C.Umashankar, learned counsel appearing for the appellants would submit that the land has been wrongly classified as Eri-Poramboke, it should have been classified as Sarkar-Poramboke and the people in and around the area have been issued patta and therefore, they are entitled to patta.

3. The learned Single Judge has dismissed the Writ Petition on the conclusion that the matter is already subject matter of several rounds of Writ Petitions and Contempt Petitions before this Court. Apart from all that it is fundamental principle of constitutional jurisprudence that a mandamus could be issued only when there is a statutory duty or an enforceable right. Both are absent in the present case. Be it Eri-Poramboke or Sarkar-Poramboke, the petitioners have no right to be in the possession of the property and they have been rightly evicted.



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4. Hence we do not see any reason to interfere with the order of the learned Single Judge, the Writ Appeal fails and it is accordingly **dismissed**. There shall be no order as to costs.

(R.SUBRAMANIAN, J.) (R.SAKTHIVEL, J.)
05.06.2024

jv

Index: No
Internet: Yes
Speaking order
Neutral Citation: No

To

1. The Inspector General of Registration,
100, Santhome High Road, Mullima Nagar,
Mandavelipakkam, Raja Annamalaipuram,
Chennai 600 028.
2. The Deputy Inspector General of Registration – Coimbatore Zone,
6/1 GRD Road, Opp. Airforce Admin College,
Redfields, Puliakulam, Coimbatore – 641 018.
3. The District Registrar, Collector office compound,
Gopalapuram, Coimbatore – 641 018.
4. The Sub Registrar – Erode Joint 1,
Erode Joint I Sub Registrar Office, Erode.



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R.SUBRAMANIAN, J.

and

R.SAKTHIVEL, J.

(jv)

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