



W.P.No.13907 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.05.2024

CORAM :

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P.No.13907 of 2024
and W.M.P.No.15094 of 2024

M.Senthilkumar

.. Petitioner

VS

- 1.The District Collector,
Namakkal District, Namakkal.
- 2.The District Revenue Officer,
Namakkal District, Namakkal.
- 3.The Revenue Divisional Officer,
Tiruchengode Taluk,
Tiruchengode,
Namakkal District.
- 4.The Tahsildar,
Tiruchengode,
Namakkal District.
- 5.The Block Development Officer,
Office of the Block Development Officer,
Tiruchengode Taluk,
Tiruchengode,
Namakkal District.



W.P.No.13907 of 2024

6.T.Kailasampalayam Village Panchayat,
represented by its President,
T.Kailasampalayam,
Tiruchengode,
Namakkal District – 637 209.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus forbearing the respondents from putting up any construction or structures in the land in Survey No.31/3, measuring 0.06 Cents situated at Kailasampalayam Village, Tiruchengode Taluk, Namakkal District, by considering and passing necessary orders on the representation of the petitioner dated 10.05.2024.

For the Petitioner : Mr.K.Selvaraj

For the Respondents : Mr.U.Baranidharan
Addl. Government Pleader
for respondents 1 to 5

ORDER

Heard both sides.

2. The petitioner had applied for patta in respect of the petition mentioned land. The Tahsildar, Tiruchengode, vide a memorandum dated 27.6.2014, rejected his request. Questioning the same, the



W.P.No.13907 of 2024

petitioner has moved the Revenue Divisional Officer, Tiruchengode. The petitioner's grievance is that to render the appeal infructuous, the respondents are putting up construction.

3. When the matter is taken up today for hearing, learned Additional Government Pleader submitted that the land in question has been classified as "Well" in the revenue records. If that be so, obviously, patta cannot be granted for the same. But then, the authorities also cannot put up any construction on six cents of land in Survey No.31/3. These are only tentative observations.

4. The Revenue Divisional Officer, Tiruchengode is, therefore, directed to dispose of the petitioner's appeal on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter. Till the final order is passed by the Revenue Divisional Officer, Tiruchengode, no construction shall be put up on six cents of land in Survey No.31/3.



W.P.No.13907 of 2024

5. The writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

22.05.2024

Index : Yes/No
Neutral Citation : Yes/No
bbr/ssa

To

- 1.The District Collector,
Namakkal District, Namakkal.
- 2.The District Revenue Officer,
Namakkal District, Namakkal.
- 3.The Revenue Divisional Officer,
Tiruchengode Taluk,
Tiruchengode,
Namakkal District.
- 4.The Tahsildar,
Tiruchengode, Namakkal District.
- 5.The Block Development Officer,
Office of the Block Development Officer,
Tiruchengode Taluk,
Tiruchengode, Namakkal District.
- 6.The President,
T.Kailasampalayam Village Panchayat,
T.Kailasampalayam, Tiruchengode,
Namakkal District – 637 209.



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W.P.No.13907 of 2024

G.R.SWAMINATHAN, J.

bbr/ssa

W.P.No.13907 of 2024

22.05.2024