



WEB COPY



W.P.No.16388 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2024

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.16388 of 2024

K.Meganathan,
General Secretary,M/s.Vengaivasal Grama Podu Maga Sabai,
Govt Regn. No.138/2000,
12, Vengaivasal High Road, Chennai – 600 073.

... Petitioner

vs.

1.The Secretary to Government,
Revenue and Disaster Department,
Secretariat, Chennai – 600 009.

2.The District Collector,
Chengalput District,
Chengalput – 603 001.

3.The Revenue Divisional Officer,
Chengalput District,
Chengalput - 603 001.

4.The Sub Registrar,
Office of the Sub Registrar,
Selaiyur, Tambaram,
Chennai – 600 073.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to call for the records from the



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respondents and direct the respondents:

(a) to order the 1st, 2nd and 3rd respondents to effect changes of the owner's name in the Patta No.228 belongs to Survey Nos.6/1 and 8/1 as “Vengaivasal Grama Podu Maga Jana Sabai” instead of “Gramathar” by considering the representation dated 25.03.2024 sent by the petitioner to the 1st, 2nd and 3rd respondents;

(b) and to order the 4th respondent to register the proposed registration of the land in favour of M/s.Inca Hammock Manufacturing and Export Private Limited, selling by “Vengaivasal Grama Podu Maga Jana Sabai”.

For Petitioner : Dr.C.K.Syed Shaffi

For Respondents : Mr.A.Selvendran
Special Government Pleader
for R1 to R3
Mr.P.Sathish for R4

ORDER

The petitioner herein seeks a direction to the respondents 1 to 3 to effect changes in the Revenue records by substituting the name “Vengaivasal Grama Podu Maga Jana Sabai” instead of "Gramathar" by considering his representation dated 25.03.2024. The petitioner also seeks a direction to the 4th respondent to register the proposed sale of the land in



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favour of one M/s.Inca Hammock Manufacturing and Export Private Limited.

2. According to the petitioner, the petitioner sabai was formed in the year 2000 and registered under The Societies Act in Registration No.138 of 2000. The petitioner's Sabai wants to claim right over the property registered in the name of villagers "Gramathar" in the revenue records. It is not known whether the petitioner sabai was formed by all the residents of village or formed by a group of persons living in the village. Whether the petitioner's society consists of all residents of village or not is a disputed question which cannot be gone into conveniently in the writ petition. Therefore, the appropriate remedy for the petitioner is to file a suit for declaration of its title in respect of the land which is classified as land belonging to the Villagers or Gramathar. Therefore, this Court is unable to accept the submission made by the learned counsel for the petitioner that the respondent shall be directed to consider the representation of the petitioner.



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3. The learned counsel for the petitioner also says that the petitioner's Sabai decided to sell a portion of the land classified as land of villagers in favour of the 4th respondent, the company called as M/s.Inca Hammock Manufacturing and Export Private Limited and therefore, the directions shall be given to the 4th respondent to register the document. Unless the petitioner Sabai establishes it represents all the villagers and it has also got right over the properties classified as properties of the villagers, the second prayer is not at all maintainable. Therefore, the second submission made by the learned counsel for the petitioner is also rejected.

4. Accordingly, this writ petition stands dismissed. No costs.

08.08.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
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To

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S.SOUNTHAR, J.

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