



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.10.2024

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P.NO.29582 of 2024

and WMP.Nos.32236,32238, 32677 & 32752 of 2024

K.Govindasamy

... Petitioner

Vs.

1. The Principal Secretary,
O/o. The Tamil Nadu Animal Husbandry Department, Secretariat, Chennai-9.
 2. The Director,
O/o. The Tamil Nadu Animal Husbandry Department, Saidapet, Chennai-15.
 3. The Joint Director,
O/o. The Tamil Nadu Animal Husbandry Department,
Thiruppur, Thiruppur District.
 4. The Principal Secretary,
Office of the Tamil Nadu Revenue and Disaster Management,
Secretariat, Chennai-9.
 5. The District Collector,
O/o. The Thiruppur Collectorate, Thiruppur, Thiruppur District.
 6. The Revenue Divisional Officer,
O/o. Revenue Divisional office, Dharapuram, Tiruppur District-638656.
 7. The Principal Secretary,
O/o. Tamil Nadu Agriculture Department, Secretariat, Chennai-9.
 8. The Chief Engineer, O/o. Tamil Nadu Agriculture Engineering Department,
Nandanam, Chennai-35.
 9. The Executive Engineer,
O/o. Tamil Nadu Agriculture Engineering Department,
Thennampalayam, Tiruppur – 641 604.
 10. The Assistant Executive Engineer,
O/o. Tamil Nadu Agriculture Engineering Department,
Dharapuram, Tiruppur – 636 656.
- Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the proceeding in Na.Ka.No.7627/2022/Aa2 dated 15.03.2023 issued by the 5th respondent and Ka.No.A.300/2020 dated 24.06.2024 issued by the 10th respondent and quash the same as illegal, arbitrary and unconstitutional, being violate the articles 14 & 21 of the constitutional of India and also the principles of natural justice.

For Petitioners

: Mr.M.Murugesan

For Respondents

: Mr.L.S.M.Hasan Fizal, AGP



ORDER

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The writ petitioner seeks to quash the proceeding in Na.Ka.No.7627/2022/Aa2 dated 15.03.2023 issued by the 5th respondent and Ka.No.A.300/2020 dated 24.06.2024 issued by the 10th respondent.

2. It is the case of the petitioner that the land in S.No.185/1A belong to one Natchimuthu Gounder and he had provided the land to Government for establishment of Veterinary Hospital. In the said land, the District Collector, Tiruppur had ordered to build the office for Agricultural Engineering Department in the extent of 0.16.20 hectares vide order dated 15.03.2023. Challenging the same, the present writ petition has been filed.

3. The learned counsel for the petitioner submitted that the Tahsildar had misunderstood and mentioned it as vacant government poromboke land. Without considering the entire fact and without authority, the District collector passed the impugned order. Therefore, the Principal Secretary should take suitable action in respect of the GO issued by the Tiruppur District collector in respect of the acquiring land from Dharapuram Veterinary Hospital that is functioning under the Tamil Nadu Animal Husbandry Department.

4. The learned Government Counsel appearing for the respondents submitted



that the land is classified as Arasu Poromboke and earlier the said land was given to Animal Husbandry Department. However, a vast land is available to construct a building for other department. Therefore, the District Collector has granted permission to the Agricultural Engineering Department. Hence, the writ petition is liable to be dismissed.

5. Heard the learned counsel for the petitioner as well as the learned Government Counsel appearing for the respondents and perused the materials available on record.

6. Considering the fact that the land in subject matter is classified as Arasu Poromboke and there is sufficient land available to construct a government building. However, the petitioner is not a owner of the land or donor of the land. After conducting due enquiry, the District Collector has granted permission to construct a building. The petitioner filed the present writ petition is impermissible and the same is liable to be dismissed.

7. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

14.10.2024



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M. DHANDAPANI .J.

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To:

1. The Principal Secretary,
O/o. The Tamil Nadu Animal Husbandry Department,
Secretariat, Chennai-9.
2. The Director,
O/o. The Tamil Nadu Animal Husbandry Department,
Saidapet, Chennai-15.
3. The Joint Director,
O/o. The Tamil Nadu Animal Husbandry Department,
Thiruppur, Thiruppur District.
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Office of the Tamil Nadu Revenue and Disaster Management,
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