



W.P.No.28750 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.28750 of 2024
and W.M.P.No.31357 of 2024

Sri Panchali Amman Maintenance and Administrative Trust,
Represented by its Secretary,
D.Rajendran S/O Dasaradhan,
No 7 Dharmaraja Koil Street,
Chetpet Town,
Chetpet Taluk,
Thiruvannamalai District. Pin code – 606801

... Petitioner

vs.

- 1.The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
- 2.The District Revenue Officer,
Thiruvannamalai District,
Thiruvannamalai.
- 3.The Thasildar,
Chetpet Taluk,
Chetpet,
Thiruvannamalai District.
- 4.The Executive Officer,
Office of Town Panchayat (Special Grade)
Chetpet,
Thiruvannamalai District.



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5. The Inspector of Police,
Chetpet Town Police Station,
Chetpet, Thiruvannamalai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to pass appropriate order on the representation dated 11.09.2024 within a stipulated time.

For Petitioner	: Mr.P.Sivamani
For R1 to R3	: Mr.S.J.Sathik Mohamed Government Advocate
For R4	: Mr.M.Muthusamy Government Advocate
For R5	: Mr.S.Sugendran Additional Public Prosecutor

ORDER

The petitioner herein seeks a direction to the respondents 1 to 3 to consider his representation dated 11.09.2024, within a time stipulated by this Court.

2. It is the case of the petitioner that the land in Survey No.157B/1A1 situated at Chetpet Town, Chetpet Taluk, Thiruvannamalai District was originally classified as 'Gramanatham'. In the year 2004, the said survey



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number has been reclassified in the revenue records as 'House Plots, Road Poramboke and Other Public Government Places'. It is further stated by the petitioner that Vara Chithi Vinayagar Thirukkoil is situated in a portion of the Grama Natham Property and the said portion has been assigned New Survey No.300 and classified as 'Road Poramboke'.

3. Now, the petitioner herein submitted a representation before the respondent dated 11.09.2024 seeking reclassification of the land in which the subject temple is situated as a Natham Land. Therefore, even from the representation of the petitioner, it is very clear the subject temple is situated in a land classified as a 'Road Poramboke'.

4. The learned Government Advocate appearing for the respondents 1 to 3 brings to the notice of this Court the order passed by the First Bench in W.P.No.35126 of 2023.

5. A perusal of the order would suggest one P.K.Selvaraji filed a writ petition seeking disposal of his representation regarding encroachment made by private parties in the public land in S.No.300. The First Bench of this Court recorded the statement made by the learned State Government



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Pleader that there would be a survey by the Authorities within a period of three months and depending upon the report of the survey, further action would be taken.

6. Now, the petitioner has come before this Court with an averment that the land in which the subject temple stands is wrongly classified as a 'Road Poramboke' and therefore, the said portion of the land shall be reclassified as a Grama Natham. The respondents are bound to implement the undertaking given by them before the First Bench of this Court in W.P.No.35126 of 2023, dated 03.01.2024. In such circumstances, this Court is not inclined to issue any direction to the respondents to consider the request of the petitioner seeking reclassification. If the petitioner is aggrieved, it is for him to seek necessary clarification from the First Bench in this regard.

7. The learned counsel appearing for the petitioner also submitted that he already filed an application seeking clarification. Therefore, the petitioner has to workout his remedy in the clarification application said to have been filed.



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8. With this observation, the Writ Petition stands disposed of. No costs. Consequently, the connected writ miscellaneous petition is closed.

22.10.2024

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

To

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S.SOUNTHAR, J.

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