



W.P(MD)No.3404 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 15.02.2024

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.3404 of 2024
and
W.M.P.(MD)Nos.3374 and 3375 of 2024

Karuppiah

... Petitioner

Vs.

1.The Principal Secretary to Government,
Revenue and Disaster Management,
Elizhagam, Chepauk, Chennai.

2.The District Collector,
Pudukottai.

3.The District Revenue Officer,
Pudukottai.

4.The Revenue Divisional Officer,
Pudukottai.

5.The Thasildar,
Thirumayam Taluk,
Pudukottai District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records impugned in Na.Ka.E1/1158668/2023 dated 19.12.2023 passed by the 2nd respondent and quash the same and consequently to direct the respondents to follow the outcome of the suit in O.S.No.540/2023 before the Learned Sub Court, Thirumayam, Pudukkottai District.

For Petitioner : Mr.K.G.Arunkumar

For Respondents : Mr.K.Balasubramani,
Spl. Government Pleader.

ORDER

Heard both sides.

2.The petitioner suffered an order of eviction under Section 6 of the Tamil Nadu Land Encroachment Act, 1905. He filed an appeal under Section 10(A) of the said Act before the appellate authority / District Collector, Pudukkottai. The appeal was dismissed vide order dated 19.12.2023. Challenging the same, the present writ petition came to be filed.



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3.The learned counsel for the petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition and called upon this Court to grant relief as prayed for.

4.We are not swayed by the said submissions. The subject matter pertains to S.No.963/10, Thekkattur village. The revenue record indicates that it has been classified as “vaari” (water body). The petitioner does not have any patta or title document in his favour. The appellate authority rightly rejected the petitioner's appeal. Interference is not warranted and the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.S.J.) & (B.P.J.)
15.02.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias



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**G.R.SWAMINATHAN, J.
and
B.PUGALENDHI, J.**

ias

To:-

- 1.The Principal Secretary to Government,
Revenue and Disaster Management,
Elizhagam, Chepauk, Chennai.
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- 3.The District Revenue Officer,
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