



W.P(MD)No.6068 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 18.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.6068 of 2024

and

W.M.P(MD)Nos.5708, 5710 & 5711 of 2024

V.Balaganesh

... Petitioner

Vs.

1.The District Collector,
Trichy District,
Trichy.

2.The Revenue Divisional Officer,
Manachanallur Division,
Trichy District.

3.The Tahsildar,
Manachanallur Taluk,
Trichy District.

4.The Executive Officer,
Manachanallur Town Panchayat,
Trichy District.

5.The Inspector of Police,
Manachanallur Police Station,
Trichy 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 relating to the impugned order passed by the fourth respondent in Na.Ka.No. 109/2022, A3 dated 01.03.2024 and quash the same as illegal and consequently forbearing the fourth respondent to construction in drainage in patta land of the petitioner's mother total extent of 188 Sq. ft in Village Sr.No.158/5E in Manachanallur Town Panchayat, Trichy District.

For Petitioner : Mr.S.B.Kayvin Prince

For Respondents : Mr.A.Kannan
Additional Government Pleader
for R.1 to R.3

Mr.B.Saravanan
Additional Government Pleader for R.4

Mr.A.Albert James
Government Advocate (Criminal Side)
for R.5

ORDER

When the matter was taken up for hearing, the learned Additional Government Pleader pointed out that the impugned proceedings are only consequential proceedings and that the primary proceedings were issued by the District Revenue Officer, Trichy on 02.03.2022.



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2.Unless the petitioner challenges the said proceedings, no relief can be granted. It is further clarified that the petitioner's title document of the year 1973 purports to convey only 3500 sq.ft of land in favour of the petitioner. The authorities are prepared to accept the extent of land obtained from the predecessor in title under sale deed dated 06.09.1973.

3.Granted liberty to the petitioner to challenge the District Revenue Officer's order dated 02.03.2022, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

18.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

1.The District Collector,
Trichy District,
Trichy.

2.The Revenue Divisional Officer,
Manachanallur Division,
Trichy District.

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G.R.SWAMINATHAN, J.

MGA

- 3.The Tahsildar,
Manachanallur Taluk,
Trichy District.
- 4.The Executive Officer,
Manachanallur Town Panchayat,
Trichy District.
- 5.The Inspector of Police,
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